

‘Yes, But What Have You Done for Me Lately?’: Intersections of Intellectual Property, Work-for-Hire, and The Struggle of the Creative Precariat in the American Comic Book Industry

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By

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**‘Yes, But What Have You Done for Me Lately?’: Intersections of
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Abstract

The comic book industry has significant challenges with intellectual property rights. Comic books have rarely been treated as a serious art form or cultural phenomenon. It used to be that creating a comic book would be considered shameful or something done only as side work. Beginning in the 1990s, some comic creators were able to leverage enough cultural capital to influence more media.

In the post-9/11 world, generic elements of superheroes began to resonate with audiences; superheroes fight against injustices and are able to confront the evils in today's America. This has created a billion dollar, Oscar-award-winning industry of superhero movies, as well as allowed created comic book careers for artists and writers.

However, the work-for-hire contracts used by comic book publishers are alienating creators from their content; intellectual properties and derivative works are owned by companies and not the creator, under these contracts. These contracts also create other insecurities for artists and writers by not providing benefits like insurance, retirement funds, and salary wages, something common in the "gig economy." This is disheartening to the creator, leaving them internalized with the idea that they are "not writing the great American novel... just writing funnybooks."

In some ways the era of social media and crowdfunding is allowing these creatives to challenge this traditional approach of content creation, and raise awareness of these issues. However, these solutions are not perfect either. Although these solutions do away with a lot of gatekeepers, they also do away with quality controls and often times fall short of fulfillment because of the logistic challenges.

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Table of Contents

Preface: It's About the Labor	1
Chapter 1: A House of Mystery: A Giant-Sized Introduction to Magic and Method.....	9
Introduction.....	9
Literature Review	19
Labor & Alienation.....	22
Art	27
Comic Book	32
Comic Book Industry.....	34
Intellectual Property	39
Work for Hire.....	42
Precarious	46
Conclusion	50
Chapter 2: Days of Future Past: 'Lo! There Shall Come an Origin Story'	54
History.....	54
Funnies & Pulps	58
Case Study: Superman	65
Industry Practice.....	70
The Comics Code Authority	76
Chapter 3: —Rise of the Independents.....	84
Independent Comics	84

Case Study: Teenage Mutant Ninja Turtles	91
A Bill of Rights for Comics Creators	92
Image Comics	94
The Kirkman Manifesto	96
Case Study: Howard the Duck	97
Chapter 4 – Across the Multiverse – Captain America and the Divided States: Politics in Comics	104
Current issues	104
Politics in comics	104
The “Diversity Mandate”	109
“Too Much” Diversity?	113
Women in the Industry	119
Minority Creative and Representation	124
Case study: Secret Empire	126
The alt-right enters the discussion	137
Chaykin & <i>The Divided States of Hysteria</i>	141
Chapter 5: “Welcome to the Comic Book Industry... Hope That You Survive the Experience.”	148
The Scene	150
San Diego Comic-Con 2016	152
WizardWorld Tulsa 2016	161
Temporality and Environment	163
Status and Opportunities	169

Agents and Agency	179
Editors	190
A Finished Product	204
A Licensed Product	205
Occupation in Occupation	207
Health Insurance, Retirement, & Later life	212
Chapter 6: Many Super-Powers Come From Toxic Spills, Right?	223
“Let Creators Create”	223
Digital Social Networking	225
“Me Inc.” and the Gig	228
Crowdfunding	231
Kickstarter	232
GoFundMe	239
Patreon	240
Creator Access	241
Toxic Fan Culture	245
Case study: Rick and Morty	246
Chapter 7: ‘A Crisis on Infinite Earths?’... It’s Probably More of a ‘Secret War.’	250
Conclusion – The Future of the Industry.	250
Digital distribution	251
Endless Infinity – where to go from here?	257
Unions and Guilds	262
Topics for future study/Globalization and Invisible workforces	263

Whither the Industry?	264
Importance and Correspondence	265
Conclusion – “What have you done for me lately?”	269
Bibliography	275
Appendix	300

Preface: It's About the Labor

Statement on positionality—

I am a fan.

I have been reading comic books since before I can remember.

I attended my first comic book convention when I was 14. I have been friends on and off with creators since that convention. Over the years I worked at and managed several comic stores. I own several shelves of comic books. I have seen most of the movies, cartoons, and TV shows. I am a fan. With that in mind, I make every attempt to see my own blind spots in this study.

Also, it should be mentioned that I look like the “comic book guy” type; a portly white-guy who speaks the language. This salience allowed me access and blending in ways that others may not have had otherwise. I know that there was a certain amount of subcultural cache which allowed me a privileged position to do a lot of this work, particularly in the ethnography portion.

It should also be noted that because I was involved in the industry for a period of time before starting this research, I did have preexisting friends and social networks that I could leverage to gain me access when “cold calls” might not have afforded me the same luck.

There is an idea out there that one of the given charges of ethnography is to “give voice” to people. I do not agree with this idea, and I did not personally see what I was doing as “giving voice.” The people whom I interviewed have their own voices; they often have their own social media megaphones (twitter, facebook, etc.), many of them have their own privilege, etc. I saw what I was doing as more of an orchestration, allowing those voices to say things they were already thinking all together in the same place. Having said that, what I chose to edit and keep did implicitly give me a voice of my own.

I will not bore you with too many details of the wending-road that this project took. Funny story; this dissertation started out as a project on family vacations. You never know where you'll end up.

I ended up choosing the medium of comic books to deal with these questions for several reasons. Paramount to them is that it is a medium with which I am already intimately familiar. As a result, these questions have arisen out of my long-term involvement with the comic book medium. I have read comics for nearly 25 years. I helped manage comic book shops for several years, as well. In that time, I interacted with various people at all levels of the industry: artists, writers, editors, and, most definitely, salespeople. A few years back a men's magazine did a top 10 list about "guy jobs" and #2 was working at a comic book store. Many believe that working at a comic book store is all reading comics and harassing nerds for their selections. This is a job lampooned very famously by the slovenly and lecherous "comic book guy" in *The Simpsons* and largely not disproven by *Comic Book Men*, a "reality" series which has aired since 2012 on the cable network AMC. The terms "guy" and "men" show intersections of masculinity and stereotypes about comic books and prove how much of the public imagination of comic books is wrapped up in superheroes as "male power fantasies."¹ As such, the industry is a site where gender is enacted and reacted.

While there is indeed some portions of that job that consist of reading comic books and harassing customers about their purchases, it's a part of the rapport of having a regular customer base. In those situations, an employee may get to know the customer's purchases but also learn

¹ Fingerioth, Danny. *Superman on the Couch: What Superheroes Really Tell Us About Ourselves and Our Society*. New York and London: Continuum, 2005.

about their jobs, family life, and even their opinions about politics. Working at a comic store occupies a unique position that few other retail establishments do, perhaps not unlike a bar.

Most people who see this end of it forget that at its heart, a comic shop is a business. I joke that my time at the comic store was precarious work; one store was “going out of business” the entire five years I worked there and it continues to be “going out of business” 10 years after I’ve left. The owner of the store imparted this fact to all of his employees daily. As a small business, the store was always one or two mistakes away from being another empty bay in an already half-dead strip mall. There was always more pressure on the employees to push product on the consumer, not as matter of sales commissions but as a matter of survival. There’s lots of heavy lifting, filing, and no clear job definition, which lends itself to any number of tasks; definitely not the stereotype of the “comic book guy.” In informal discussions with creators, I have found that this idea of playing fast-and-loose with expectations of employment and the conduction of the business was not uncommon at all levels of the industry.

I learned working at these jobs that this work is not what people think. That is a fact I carried through the dissertation as well.

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Statement on Challenges: This project, for me, is as much about what I failed to do as what I actually did. In some ways, the comic industry itself embodies this same lesson, inasmuch as it is as defined by missed opportunities in storytelling as it is the storytelling it actually succeeds at.

When I actually put pen-to-paper (so to speak), I had a bit more ambitious project in mind including pictures and multimedia experiences (like 360-dregree immersion in conventions, etc.). The time and space constraints were really the limiting factor. It ended up a

bit too ambitious and there was a learning experience contained therein. I'm not sure if this will stop me next time. In discussions with one of my frequent writing partners, I learned that I'd rather have an ambitious failure than a mediocre success. That is not to say that I feel this project was a failure. It was not. Largely, I said what I wanted and did what I wanted. I just imagined bigger and flashier.

This paper and, I've learned, other long-form discussions like it, has been written in my head several times over. If I'd written it a couple years from now it would be another completely different paper. Many of the issues presented here are important in the mid- and late-2010s in the American comic book industry. There are parallels to the same challenges in other creative mediums. There are also parallels to larger issues within the labor system in America...but I'm getting ahead of myself.

The most challenging thing about this topic, although it may not seem like it, is that the comic book industry is an industry in flux. While writing about it, I felt like I was trying to hold a moving fish. However, the fish was actually a school of fish swimming in different directions. I also feel an intense responsibility to be fair to multiple perspectives and I endeavor to be all-encompassing; perhaps an impossible task. This industry has been under constant internal and external reform. This was a challenge especially because at the time I was looking at this industry under the microscope it also happened to be in the spotlight, as intellectual properties derived from comic books were making billions of dollars at the box office.

This project is also limited by who was willing to talk to me. I let my participants know before even turning on my recorder what exactly the purpose of my project was and what the risk was to them, that by talking to me this study may eventually get published and it may harm their future employment prospects. This imposed limits; some people did not want to go on the record

about their experiences. There are some people with whom I could not connect because of severe time limitations on their schedules. There were also people who may have wanted to talk to me but couldn't give me time because they are working folks and I could be perceived as not forwarding their careers. In other words: they had a limited amount of time to do their hustle, and I was occupying line and table space where commerce was intended to occur, which I fully understand in the context of a precarious work environment.

I came into the project with a "wishlist" of about twenty people I wanted to talk to, all interesting personalities. I asked several of these people, but many I could not get access to. Ultimately, only three of those made it in here. I eventually had to allow opportunities for people with whom I could speak to face-to-face (at shows and signings) to provide their perspectives. I had to focus less on my "wishlist" and more on "whomever would say, 'yes.'" Finally, I realized that people who could do immediate interviews were better sources because scheduling interviews outside of the convention or show setting became an exercise in futility.

That was probably for the better. The people to whom I spoke to were all great for their own reasons, as you will read. Since many were not 100% the people you'd expect, they, perhaps, gave me better insight; or what I might suppose is more *honest* insight. Also for the better, it turned out that many of the people who I originally wanted to talk to were already on the record elsewhere, such as in interviews with comics media or with podcasts. You'll see those insights sometimes throughout the project.

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There was also a final challenge to this project. As the dissertation was near completion and the analysis and initial draft was complete, some allegations came to light about a main informant of the ethnographic portion of this essay who was accused publicly of sexual

improprieties and serious boundary issues by a former acquaintance. Since that time, others have come out to speak about inappropriate behavior. Because of these allegations this creator lost several projects, had their current projects canceled, and has dropped out of the industry entirely for the time being. Over the course of this project I had attempted to let those with whom I had spoken speak for themselves and relay their own experiences. In this case, I did not feel as if I could give fair treatment to the topic or the subject which added a now-needed new dimension to the project. As such, I have chosen to excise that person from this project.

This challenge did cause me to question “personal” versus “professional” representation when dealing with ethnography. This became particularly problematic while I negotiated those particular boundaries of the research relationship when an informant directed me to include “nothing personal.” To that end, I found that the “nothing personal” idea could not always be separated from the professional. ‘The work’ comes from somewhere. Indeed, one of the things the “gig economy” does is that it grays the black and white between the personal and the professional. While crafting a representation, the problems raised by this situation highlighted the tension between the personal and the professional, along with the political stakes of the movement in this present moment. Because of the serious nature of the charges that were raised, there is an entirely separate project which should be taken up. I will touch on those issues briefly by mentioning that, as stated earlier in the preface, thinking about gender and power is as important to the study of comic books as to other social and cultural forms.

Much of this project hinges upon ideas of status and access; as a result, it becomes hard to ignore the uneven power dynamics when it comes to this industry and *especially* when it comes to gender. As I noted earlier and expanded upon later in the project regarding topics of diversity, in recent years comic books have tried to pivot but ultimately are still a gendered-male

site. This industry is a male-dominated one mostly driven by male fans. As such, there are places where women are often denied access, and where they *are* included there is potential harm to them. (I allude to this later in the project when I discuss the treatment of Chelsea Cain by some particularly outspoken fans).

In some ways, my own closeness to the subject of the study was a part of the difficulty in dealing with this topic. In this particular situation, it constituted a clear ethical dilemma and it was difficult to disentangle my own emotions from the situation; a major chunk of my project was caught in the collateral damage. While this situation was a disappointment for me, it was much more difficult for the people involved. However, I understand that this was always a risk when dealing with people who are complicated.

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As a point of clarification, this inquiry focused on the AMERICAN comic industry. Many other nations such as Japan, France/Belgium, and Mexico have comic book industries; and thriving comic industries, at that. The industries are not terribly different from America's industry in form, but as individual industries, they may focus either more on art (as the French) or more on consistent production (as the Japanese). However, to be certain, the main difference remains in genre; superhero myopia defines American comic books, while many other nations' comic companies are much more multi-genre. There are resources out there about these industries: for instance, *The International Journal of Comic Art*, a bi-yearly publication.

For the most part, this dissertation is done in the Chicago/Turabian citation format. However, due to the nature of this inquiry and my beliefs about the importance of collaboration within the comic book medium, I have modified the format slightly according to rules at Comicaresearch.org. Besides the writer as required by citation format, where applicable I have

also included in the illustrator and sometimes additional information about the comic.

Additionally, within many internet citations, although not required, I have included the URL address because I believe that specificity in the citation is important. Finally, where applicable I also included time indices (denoted by Ti:xx:xx) where I used a podcast because, although not required, it seems to me that such a notation will direct a reader similarly to a page listing for a book.

Chapter 1: A House of Mystery: A Giant-Sized Introduction to Magic and Method

“Until I was in this position it never occurred to me that a comic book didn’t appear on an editor’s desk as a finished product.” ~ Stephen Wacker, editor, *Amazing Spider-Man*²

Introduction

Comic books derive much of their power from “magic.” As the above suggests, to Stephen Wacker (and many others), comic books appeared on the shelves as if by magic. Magic is often used as a shorthand definition for processes that we do not understand. Comic books are actually many magics or processes: the magic of using a static picture to create movement, the magic of suspension of disbelief—‘you’ll believe a man can fly’—or the magic of many voices appearing as one in the creation of the books themselves. Most magic exists as illusion. There are the illusions that the works themselves create but there is also the illusion of an invisible Hand of Creation that then hides the men and women actually involved in the process behind the proverbial curtain. Every day, corporations create illusions that allow their machinations to appear flawless despite the hidden worlds that exist just behind these illusions. Take, for example, the illusion of Superman as a singular character. Superman has existed since 1938, brought to life in comic books, comic strips, radio programs, on television, in animation, and in film. Throughout these varied presentations, there remains the illusion of a singular character: Superman, alter ego Clark Kent, alter ego Kal-El. But behind the scenes, innumerable men and

² Former editor of “*Amazing Spider-Man*” reflecting back on his 102 issue run, historically released three times per month. This is historic because most comic book editors handle several monthly comic books; going three-times monthly was a herculean task in comparison because the margin for error was far smaller. From: Marc Guggenheim, Dan Slott, et al. (w) Adam Archer, Mark Pennington, et al. (i) “Brand New Day” *Amazing Spider-Man* #647 (New York: Marvel Comics. Nov. 2011). Letters Page.

women have worked tirelessly to execute this vision of a singular man with a singular personality across each of these media. Each of these creators lends their own influence to the execution of Superman as a character, and thus to the public perception of him as a man fighting a never-ending battle for “Truth, Justice, and the American Way.” The majority of these men and women, who ensured that the American myth of Superman endured through the ages and continues to live on today, themselves often live or die as unknowns in the eye of the Superman-adoring public. Their contributions are seen only through the illusion of Superman, leaving the hands behind the curtain largely uncelebrated. What follows is an account that seeks to celebrate these unsung men and women who tirelessly (and, too often, thanklessly) create the magic of comic books.

In researching my project, I have found that the academic literature has a similar sort of process to explain production, even that of comic books. Much of the literature, in dealing with comic books as well as other items created by industrial processes, ignores the labor of that process. A pattern is followed when describing said process: Step 1—Raw materials. Step 2—Stuff is made., Step 3—People consume this “stuff,” possibly generating a profit. In the previous sentence, “Stuff is made” is presented in the passive voice because that is precisely how most academic texts about the comic book industry treat this process. The texts, whether deliberately or not, rarely apply a sense of agency to any portion of the creative process, including when considering the work of the creatives themselves. There are raw materials and then there is a comic book, and perhaps an explanation of drawing and writing, but with a disregard for the *agency* of the “drawers and writers” themselves. Comic books are not alone in having an invisible or illusory creation process. In the circuit of culture, Stuart Hall et al. refers to this

(mostly invisible to the consumer) Step 2 as regulation and circulation.³ As a result of this invisibility, the texts typically gloss over Step 2 entirely and merely posit Step 3. One can arrive at the missing step within that process by viewing Step 1 through the eyes of those that perform the work for the industry: those who do the labor itself. Through those particular eyes, a researcher can get to how the relations of production and distribution travel relate to the circuit of culture. Pierre MacHerey demystifies the magic of art and creation in general by saying,

Now, art is not a man's creation, it is a product (and the producer not a subject in his creation, is an element in a situation or system): different – in being a product – from religion, which has chosen its dwelling among the spontaneous illusions of spontaneity, which is certainly a kind of creation. Before disposing of these works – which can only be called theirs by elaborate evasion – men have to produce them, not by magic, but by the real labor of production. If man creates man, the artist produces works, in determinate conditions; he does not work on himself but on the thing, which escapes him in so many ways, and never belongs to him until after the event.⁴

This dissertation also seeks to demystify magic of the second step; “stuff is made,” by asking questions to and about who makes the “stuff” and the affective conditions that created labor conditions within the industry. This work is a demystification of the magic that oppresses creative workers. The way in which I come to trying to figure out how ‘stuff is made’ leans toward empirical studies: primarily observations and interviews. After defining alienation within the industry and establishing how creators navigate their industrial conditions, this work will argue in the end that industry can establish a more fair system for these creators.

I established this research topic in the fall of 2014. After receiving my IRB approval in May 2016, I attended several comic book conventions of all sizes over the course of this ethnography (San Diego, PlanetComicCon [KC] [twice], Kansas City Comic Con [twice],

³ Paul du Gay, Hall, Stuart. et al. *Doing Cultural Studies: The Story of the Sony Walkman* (Thousand Oaks, CA: Sage Publications. 1997), 3.

⁴ Pierre MacHerey. “Creation and Production” in *Authorship: Plato to Postmodern: a Reader*. Ed. Sean Burke. (Edinburgh: Edinburgh UP. 1995), 231.

Wizardworld Tulsa, Wizardworld St. Louis, and Omaha O-Comic Con [twice]). This list ranges from San Diego Comic Con—the granddaddy of comic book conventions—to several mid-size conventions, all the way down to a few in-store signings. I occupied several places within these spaces: spectator, helping to run a retail booth, minding a creator’s table when they slipped away, and I had opportunities on the backend as an event liaison.

In each convention setting, I made contact with creators and conducted short interviews. At these tradeshow, I observed many things about how the comic book industry functions and how it sees itself in relation to other popular culture mediums. Jeremy Stoll states that at comics events, creators, readers, editors, fans and other members of the comics community are able to come together in a liminal space where the heightened sense of community allows the ideals of comics to be realized.⁵ The idea of a “liminal space” exists as a place in-between other, more established places. Several times over the course of my interviews, creators mentioned how they were fans themselves and wanted to engage with another creator as a fan, get something signed, or have a commission done. When discussing the social capital that is useful at such shows, Stoll says, “Community members, as fans, interact based upon common knowledge of narratives that allow for communication and the creation of relationships around those narratives.... Accordingly, a particular community is created by this interaction between ideals of creation and the realities of publication and between network and the social imaginary.”⁶

I found all of these shows have two things in common: community and commercialism. To a certain extent, all fandom exists in the intersection of these two abstracts. Further, I would

⁵ Jeremy Stoll. “Between Art and the Underground: From Corporate to Collaborative Comics in India.” In *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. (London: Palgrave-MacMillan. 2016). 38

⁶ Jeremy Stoll. “Between Art and the Underground,” 37.

say that few media have harnessed the power of their fandom in the same way that the comic book industry has. Comic book conventions are a multimillion-dollar business which has gained the attention of investors.

When I visited San Diego Comic Con (SDCC), for instance, there was quite a bit less about comic books and much more about film and TV. Given the show's proximity to Hollywood and the slow intertwining of interests between the two industries, this is not entirely surprising. However, SDCC is not the only convention that has moved away from comics and focused more on popular culture in general. One fan report from ACE Comic Con in Glendale, AZ stated that after much of the show became wrapped up in celebrities, comics have become an "afterthought."⁷

At such a convention a lot of attention can be brought to the con itself. But for the independent comic creator, it could be a less-than-great (or even outright poor) show because so much of the money is spent on admission to the show, parking and autographs that there is little disposable income left to purchase the comic creator's stuff, let alone for a commission or any of the other things that a creator may have brought to sell.

This ethnography was not my first opportunity to take trips to comic book conventions; I used to attend these events yearly in the 1990s and early 2000s. Previously, if I would tell people that I was spending my vacation at a comic book convention, inevitably they would ask if it was San Diego Comic Convention, the largest and most popular of this type of show. It never was. For years, this was the only convention that would make mainstream news. This was because

⁷ AJ Frost. "ACE Comic Con: When Comics are an Afterthought." ComicsBeat.com (blog). pub. Jan. 4, 2018. <http://www.comicsbeat.com/ace-comic-con-when-comics-are-an-afterthought/>

while the comics industry was complicated and easily dismissed, other things showcased at that convention, such as film and television projects, were more easily relatable.

More recently, that has changed; if I tell people that I'm going to a convention, the main question asked by those outside of the subculture is, "what are you dressing up as?" The cultural imagination around these conventions has largely been informed by the attendance of colorful costumed characters and the popular television show "The Big Bang Theory," a program about several "geeky/nerdy" characters who attempt to navigate a world that does not understand them, all while finding love and engaging in hijinks. I believe that this is important because, while the comics world has become more knowable through this cultural artifact, there still exists the distancing factor of the lens of a television show. As a result, conventions act as the on-ramp to knowing this world a little deeper for those not fully-immersed in it.

This study is the result of a mid-to-late-2010s understanding of the comic book industry. I note the timing of when I did my study because some of the industrial issues I examine have since changed, and these changes happened both before and after my study. I also note it because a few of the topics I discuss later in the "current issues" chapter were still considered news at the time, and these were rapidly-changing issues that unfolded as I was writing. As a result, some of the issues discussed may have developed beyond what is discussed in this treatment. This periodization created a time where people who formed ideas about comics potentially read or engaged with nothing but digital comics while some founders of the industry and many original creators of the beloved comic books of the 1960s were still living; for these creators, something like a "digital comic book" would have seemed akin to a sci-fi fantasy at the inception of their industry. While some of these founders are indeed alive, they are also dying; some of these creators are fondly remembered, while others are forgotten and destitute. It is a shame that any of

these creators could be forgotten during a time when comic books as media properties have become a huge part of the landscape; possibly more important to that landscape than ever before.

The superhero, and comic books in general, have come more into focus in the post-9/11 world. Many of the concerns that Americans have seem larger than they can solve themselves. As a result, a hero, an outsider with power greater than that of the average person, seems like a panacea to our problems. To that end, comic books act simultaneously as escapism and as morality tales about our own lives. Bradford Wright published a history of the comic book industry in the immediate aftermath of 9/11; the book has an afterword that suggested that he was not sure if mass devastation and light shows would have a place in comics and that they would likely become more introspective in 9/11's wake.⁸ More recently, there have been calls to "keep politics out of comic books."⁹ Others have argued that politics have been baked into the popularity of the medium since the beginning.¹⁰ In a way, the last few years, threats to creators and the threats that hang over conventions show that comics are a "soft target" to those who would chose to do harm. Any questions about politics within art inevitably lead to the question of whether one can separate the art from the artist, or, if not, can the art then be separated from the *conditions* of the artist? Finally: if either of these is possible, one might ask: should this separation take place?

⁸ Bradford W. Wright *Comic Book Nation: The Transformation of Youth Culture in America*. (Baltimore: Johns Hopkins Press. 2002). 288

⁹ *I Love Comics*. "CAPTAIN AMERICA MARK WAID CAN'T KEEP IDENTITY POLITICS OUT OF MARVEL COMIC BOOKS". YouTube. Published Nov. 2, 2017. <https://www.youtube.com/watch?v=H5Lz-IOQ-1s>.

¹⁰ Tom Wyatt "'Stop Making Comics Political!'" *Geeks.Media*. Published: 2018. <https://geeks.media/stop-making-comics-political>.

Dorian Lynskey. "The Online Right Wants Politics Out Of Comics, But They Have Always Been Bastions Of Liberal Thinking". 2019. *Newstatesman.Com*. Published: Nov. 21, 2018. <https://www.newstatesman.com/culture/2018/11/online-right-wants-politics-out-comics-they-have-always-been-bastions-liberal>.

To some extent, “art” of the comic book takes place within the space of creation but also within the space of labor. Benjamin Woo points to a disconnect between perception on the part of fans and what the life of a creator is actually like. “Do they imagine spending hours with a pencil and brush at a drawing table or working on a Wacom tablet with Photoshop or Manga Studio? Do they think of attending editorial summits and post-convention parties or of frantically photocopying, folding, and stapling minicomics late into the night?”¹¹ Following Woo, my study considers the relationships between alienation, creative freedom, art, and commercial production of comics, primarily in the early 21st century, study focusing primarily on 2014 to 2019.

Most consumers of comics (and related cartoons and movies) don’t give a second thought to the idea that someone had to make the media they enjoy. Often, the makers of those media go relatively uncredited, with few exceptions; generally, these exceptions are cases where those credited have fought for credit. Much like the other items used during everyday life, these things are made by someone else with what are called work-for-hire contracts. Within these contracts, comic book businesses pay these artists and writers flat fee “page rates,” without benefits, marginal royalties, and rarely with a promise of contract renewal. Imagine working for a such business for 24 years and being shown the door without cause or recourse. This happens to some of our favorite unknown storytellers regularly; the creators of beloved characters such as Superman, Spider-Man and Batman.

Comic books are a business like any other. According to Harold Vogel, each year Americans spend 140 billion hours and \$280 billion on legal forms of entertainment.¹² When

¹¹ Benjamin Woo. “To the Studio! Comic Book Artists: The Next Generation and the Occupational Imaginary of Comics Work.” in *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. (London: Palgrave-MacMillan. 2016). 189 – 190 .

¹² Harold L Vogel. *Entertainment Industry Economics: A Guide for Financial Analysis*. 8th Ed. (New York: Cambridge. 2011). xix.

speaking of the creation of entertainment, Vogel states that in their contexts, various forms of entertainment such as “moving pictures” and musical recordings were novelties, while radio was modern-day miracle and television was a laboratory curiosity.¹³ Each of these forms of entertainment we now consider to be entire industries. As these entertainments developed, Vogel says, “Little or none of this, however, has happened because of ‘ars gratia artis’ (art for art’s sake) —in itself a noble but ineffectual stimulus for technological development. Rather it is economic forces—profit motives, if you will—that are always behind the scenes, regulating the flows and rates of implementation.”¹⁴

As a business, comic books started out as a way to recycle newspaper strips and repackage them to make money a second time for already paid-for and published (work-for-hire) strips. A few years later, companies saw the value of publishing original strips. In the early 1930s, the comic book industry changed into one which told original stories with “The Funnies” and “Famous Funnies.” In 1938, comics revolutionized again with the creation of Superman, the first superhero. Since that time, there have been many imitators and reinterpretations of the superhero archetype. Comics have changed in size, length and coloring. However, the form itself has essentially remained static. A comic book can be as simple as someone with an idea, a pen, a paper, a stapler and a photocopier; it can be handmade, then sold or traded with a friend or at a convention. Or a comic book can be as complex as a story about a character that is trademarked by a multinational corporation, as told by an assembly line process including a writer, a penciler, an inker, a letterer, and colorist with several stops at editors of various rank along the way, then off to a printer—through several more hands to a distributor, and finally to a shelf or spinner rack

¹³ Ibid , xx.

¹⁴ Ibid, xx.

at a store. Finally, there is the complication of considering digital creation and/or distribution of comics, which, speaking completely non-hyperbolically, has changed everything.

The American comic book industry is standing on a precipice. There are many different ways this can end up. For most of the history of comics, they have been, at worst, simply dismissed as the power fantasy for children and, at best, a subcultural “nerdy” phenomenon. In the 1950s, comics were a ubiquitous artifact of childhood; by the late 1990s and early 2000s, the comic industry was reeling from a bust after a large boom, and many predicted that it was the end of the comic book industry altogether. Almost two decades later, clearly, comic books are not over. One could argue that comic books and intellectual properties derived from comic books are more visible now than ever. However, with mass consumption of the intellectual property, there is a dilution of definition of what *actually* exists within the comic book industry. Comic books are making more money than ever, and yet comic book stores are stagnating. In some ways, comic books are standing between mass culture and subculture and they’re not sure which way to jump.

A study such as the one I undertook, which replies to the questions I ask, is something I find to be by way of necessity an interdisciplinary study. First: comic books are not just art or literature; they are both. Almed Jameel states that having access to different disciplines gives comic book studies a great advantage because of the nature of comics as both art and literature.¹⁵ In doing an industry study, it becomes necessary to understand business and current issues. To speak well to those current issues, speaking to those who engage in the industry is important. Finally, to understand the way that the industry is today, the history demands that one to ask

¹⁵ Jameel Ahmed. “Negotiating Artistic Identity in Comics Collaboration.” In *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. (London: Palgrave-MacMillan. 2016). 175.

questions about the lack of labor unions serving the industry, or about why the art form of comic books is different than other cartooning mediums.

There is a long history of oppression of creators within the comic book industry. While creators' rights moments—such as the Bill of Rights for Comics Creators, The Image Revolution, and the Kirkman Manifesto—have gone a long way toward cementing a more equitable system for content generators within the comic book industry, there are still a number of issues that affect this creative and precarious class. These include oppressive work-for-hire contracts and stronger emphasis on the part of media companies on intellectual property generation, to say nothing of the working conditions themselves. There also exists a power imbalance between those who create and those who benefit from those creations. However, there is a sea change along these means of production including social networking, digital comics, and grassroots funding sources such as Kickstarter. There are a number of open questions as to whether a number of technological innovations can embolden or threaten these movements.

If comic books have become the proving ground of popular culture, in many ways Kickstarter has become the proving ground for comic book ideas. In theory, Kickstarter is an internet platform through which people donate money to an idea they would like to see made. It has popularized the idea of “crowdfunding.” In theory, Kickstarter acts as a liberating force in the industry that allows a creator to go directly to the fans. In practice, many in the comic book industry treat it as a go-around from traditional publishing sales and distribution methods.

Literature Review

Given the number of books on individual comic book creators or comic series, the literature regarding the “comic book industry” is thin, and labor studies of the industry is even thinner. The two main texts are Sanford Carpenter’s dissertation “Imagining Identity:

Ethnographic Investigations into the work of Creating Images of Race, Gender, and Ethnicity in Comic Books”¹⁶ and “Cultures of Comics Work” Edited by Casey Brienza and Paddy Johnston. Sanford Carpenter’s dissertation uses the same method as my study; ethnography; and examines the comic book industry. However, whereas he was looking at how the labor influenced the final production, I am looking at the labor itself. There were several times where labor conditions were implicit in his study, and my own *does* owe it a great debt at times. The edited collection “Cultures of Comic Work”¹⁷ had several article-length publications on the various dimensions. Up to this text, published in 2016, there had not been a full examination of the labor of the comic book industry. The articles contained this text are cited throughout my study. The collection is well done, but its nature as an edited collection does not allow a full examination of the industry. Moreover, the collection focuses on the industry in several nations over the course of the text and those nations, while all affected by American industry, are not monolithic. Additionally, when looking at different national industries, it must be noted that while there are some correspondences, they are not subject to the same legal apparatus and as a result, the workers within those industries are not in the same situations. The creation of such a text is a testament to the work of John Lent at the *International Journal of Comics Art*, a twice-yearly edited publication. Additionally, the lack of such a collection focused on the American comic industry says a lot about how comics work is viewed (or not viewed, i.e. *hidden from view*) domestically.

When I started writing, I felt much of the topic of ‘labor in the comic book industry’ seemed self-evident. However, within those few simple words are several contested terms.

¹⁶ Sanford Carpenter. “Imagining Identity: Ethnographic Investigations into the work of Creating Images of Race, Gender, and Ethnicity in Comic Books.” Unpublished Dissertation. (Houston: Rice University. 2002).

¹⁷ Casey Brienza and Paddy Johnston *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. (London: Palgrave-MacMillan. 2016).

Because of the way in which comic books are presented and created, terms such as “labor,” “art,” “comic book,” and “comic book industry,” are more fluid in definition than it might seem. Moreover, there are the related specific legal definitions of “work for hire” and “intellectual property.”

This dissertation attempts several things. I integrated several interdisciplinary methods in this inquiry to get a holistic view of comic books and the industrial practice that informed how creators make them. In what follows, I offer a brief overview and engagement with the theories that informed my study. Those theories I examine begin with labor, comic books, the comic book industry, and work for hire.

In 1993, Scott McCloud pointed out that many people who study comic books do so as evidence of something else and not as something themselves worth of study. He goes on to say that we treat very few other arts that way.¹⁸ Since McCloud’s writing, comic studies as a field has exploded. I might argue that McCloud’s words still resonate. Comic books are a difficult field to understand in and of themselves. Comic books exist in a gray area between art and industry. Very few authors have looked at the industry side. One study of San Diego Comic Con by Rob Salkowitz discusses the intellectual property aspect of comics through the wheeling and dealing at the world’s largest comic convention.¹⁹ On the other hand, most scholars largely lean toward the more artistic, as typified by so many examinations of auteurism, or the style surrounding visionary creators, in the comics industry; judging many comics by their creators,

¹⁸ Stanley Wiater and Stephen Bissette. *Comic Book Rebels*. (New York: Donald Fine inc. 1993). 7.

¹⁹ Rob Salkowitz. *Comic-Con and the Business of Pop Culture: What the World’s Wildest Trade Show Can Tell Us About the Future of Entertainment*. (New York: McGraw Hill, 2013). Print.

such as Alan Moore²⁰ or Jack Kirby²¹. This focus on the auteur creates a view that these works are less “collaborative” works and are instead created more individually.

In order to get a better understanding of the theories that I engage with in this dissertation, I feel like the best place to start was with the list of definitions that vexed me while I conducted the rest of the study. I think of the concerns that follow as dialectical engagements between a couple of forces: labor/exploitation, art/industry, income/precariousness, and ownership/property.

Labor & Alienation

In the aforementioned edited collection, Brienza and Johnston define “comics work” as, “any labor within the field of the cultural production of comics that contributes to or informs a comic’s production.”²² Further, Brienza and Johnston see cultural work as any work within the creative industry.²³ Those starting points are fairly open-ended, however they do point to the idea of comics as an object of labor which people are engaged in through different points of production. Therefore, comics labor is not abstract in the sense that there needs to be concrete output, which in turn creates an engagement with industry, even if it declines. Indeed, what many consumers do not realize is that comic books, like many other cultural artifacts, are completely constructed down to every minute detail and they are made in an assembly line-like process.

²⁰ See: Bensam, Comer, Darius (2012), Gilliam, Green, Liddo, DeZ Vylenz. Moore, (2012) Moore, (2008), Parkin, (2009), Parkin, (2013), Van Ness, and White M.

²¹ See: Alexander, Bell (2013), Darius (2013), Evanier, Hatfield (2012), Kirby (2004), Marrow, and Ro. In addition ToMarrows publishes a semi-monthly magazine published since 1994 “Jack Kirby Collector”

²² Brienza and Johnston. *Cultures of Comics Work*. 3.

²³ Ibid. 5

Accidents are rare in the process because the product passes through so many hands during creation.

Most comic creation processes start with an idea. This can be an idea on the part of the writer, put forth by editorial in larger company outfits, or any combination of creators. It then passes through several hands before it becomes a finished product. Many of the workers on the assembly line go completely unknown; the lucky ones have their names in tiny print on the inside cover of the book, and the most prestigious creators get name recognition on the outside front cover. This has not always been the case. For years, the people who created comic books were all unknowns and many liked it that way, since creating pulpy children's literature was not a respectable occupation and was often viewed with the same shame as pornography by people who wanted serious art and literary careers.²⁴ Over the years that changed, and people who were fans of the medium or saw the artistic possibility became involved and saw comic books not as a means toward reaching other work, but as an end in themselves.

As there are few examinations of the comic book industry, one text which looks at film and television, *Production Culture* by John T. Caldwell, describes an interdisciplinary method within the text as a layered approach including textual analysis, reporting, interviewing, economic analysis, and ethnography. He describes his method this way because he claims that not one, or even any, of these can reach toward true authenticity because "culture is an interpretive system"²⁵ which is embedded in power and politics. In dealing with insider knowledge, that authenticity can be hard to get at because of spin, difficulty with disclosure, and issues with the management of knowledge. Caldwell compares his own work and explains in his

²⁴ Wright, Bradford W. *Comic Book Nation*. 7

²⁵ John Thornton Caldwell. *Production Culture: Industrial Reflexivity and Critical Practice in Film and Television*. (Durham and London: Duke UP, 2008). 2

text that others have looked at culture industries such as Angela McRobbie and Andrew Ross, who “trace out the sometimes-alienating logic of the new flexible culture industries, which oversell the notion of gratifying labor, career mobility, democratic management, and workaholism as creative forms of self-fulfillment.”²⁶ Caldwell goes on to say that compared to tech workers and club cultures, Hollywood culture seems to have less volatility and more predictability.

I argue that much of the production of cultural labor starts in alienation and ends in larger cultural and economic forces such as the “gig economy.” Marx first writes about alienation in “The Philosophic and Economic Manuscripts of 1844.” In a section of that text he describes alienation of labor, specifically the selection that defines alienated or estranged labor.²⁷ Marx defines four kinds of alienation:

- 1: Man’s alienation from species being. (Man can never know himself as human because he is always an extension of the machine)
- 2: Man’s alienation from other men. (Man is only out for himself. The incentive is to work harder and not together)
- 3: Man’s alienation from means of production. (Man can never know the art of that which he creates. More importantly, man cannot gain profit from that production)
- 4: Man’s alienation from object of labor. (Man has no stake in the object he produces)

Throughout the argument, Marx describes how alienation makes labor external to the worker and effectively objectifies him. In this objectification, the worker externalizes his or her humanity, his or her empathy for other people, his or her intellectual capacity, and his or her pride in his labor. To make matters worse, Marx states, “The worker becomes poorer the more wealth he produces, the more his production increases in power and extent. The worker becomes an ever-cheaper commodity the more commodities he produces. The devaluation of the human world

²⁶ Caldwell, JT. *Production Culture* , 33.

²⁷ Karl Marx and Friedrich Engels. *The Marx-Engels Reader*. Ed. Robert C. Tucker. New York: Norton. 1978. 70-81

grows in direct proportion to the increase in value of the world of things.”²⁸ Through his or her own labor, the worker continuously devalues the object of labor through the constant circuit of production. Marx was writing during the era of the Industrial Revolution in England. His context is important to consider because of the limits of his ideas in light of, for example, advances in technology that have occurred since. There have been many changes over the years that would make his ideas outdated; however, much of his core theory still applies to contemporary workers despite these changes.

Robert Blauner describes a situation where contemporary alienation can come from many places; political life, intellectual life, artistic production, beliefs, and culture; and that much of the alienation felt by people today comes from loss of control due to loss of freedom, initiative and creativity in their workplaces. He continues, “Proponents of the alienation theory argue that capitalist economic institutions and modern factory technology have deprived the employee of a truly human relation to his work.”²⁹ In this way, employment becomes a means to the ends of making a living; however, productive activity should be its own ends and not a means.³⁰

Using many of these same Marxist arguments, Stahl goes on to say that much of the work of the creative laborer is actually a balance between autonomy and alienation. The artist creates at the behest of the company; however, he does so under the historical conditions of those who came before, including other musicians, changing technology, the law, and so forth. In many cases these sorts of workers—creative workers—are actually less alienated from the product than other workers. In an illustration of what he means, Stahl points to creative labor and working within a Marxist conception he calls, “Axes of Alienation.” His view is more of a continuum

²⁸ Marx K and Engels F. *The Marx-Engels Reader*, 71. – author emphasis

²⁹ Robert Blauner. *Alienation and Freedom* (Chicago: Chicago UP. 1968). 3

³⁰ Blauner. “*Alienation and Freedom*”. 2-3

than a strict binary. From one pole to the other he locates the categories “powerlessness,” “meaninglessness,” “social isolation,” and “self-estrangement” alongside ideas of “freedom,” “liberty,” and “self-determination.”³¹ To that end, Stahl concludes that a democratic society is actually far from one where companies force workers to give up their democratic rights and freedoms in order to make enough money to subsist.³²

Alienation arises from knowing that what one is doing is not for one's own purpose or for what one could respect or appreciate; it is simply done for others, at their behest. This has been regarded as a defining feature of the proletariat. But those in the precariat experience several special competing feelings, including a feeling of being fooled—told they should be grateful and happy that they are in jobs and that they should be positive. They are told to be happy and cannot see why.³³

Under capitalism, there exist several paradoxes for the worker. Take, for example, that workers should be grateful that they have a job even though oftentimes they are not happy with those jobs. Standing further states that these workers suffer from what he calls the 4As: anger, anomie, anxiety and alienation. Workers experience anger at feeling trapped in these jobs, anomie at feeling alone in the struggle, anxiety at chronic insecurity, and alienation at not doing work for oneself.³⁴

³¹ Matt Stahl. *Unfree Masters: Music and the Politics of Work*. (Durham: Duke UP. 2012).

22

³² Stahl. *Unfree Masters*. 228-229

³³ Guy Standing. *The Precariat: The New Dangerous Class*. (London: Bloomsbury Academic, 2011). Accessed November 2, 2014. <http://dx.doi.org/10.5040/9781849664554>. 20-21

³⁴ Standing, G. *The Precariat*. 33-35

The labor of the comic book industry is a perfect example of Marxist alienation, particularly in man's alienation from art and man's alienation from the means of production (perhaps even man from himself) as it relates to the culture industry. Although the job offers autonomy on a scale, the longer-term consequences are loss of control over a creative endeavor: loss of art. It *means* something to be an artist in a creative process that seems to only be concerned with the bottom line rather than the creative processes or the messages transferred therein, etc.

Art

In ancient philosophy, Plato described art as imitation. He felt that it was nothing more than an imposter removed three-steps from reality. The “three-steps” are the platonic form, the real world, and finally the work itself: the imitation.³⁵ The “forms” existed, which represents a perfect reality of an object for Plato; say, for example, a cow. The first step is that perfect reality: the form, which all cows draw their characteristics from. Then there is the reality of the cow: one can be brown and one can be white with brown spots, yet both contain characteristics from the form “cow-ness.” Finally, you’d have a picture of a cow which is yet another step removed from the form of a “perfect cow.” This picture is just an imitation. As the forms move from form to reality to imitation, the possibilities become fewer and fewer. With the forms there is infinite possibility; with reality, only what actually exists is possible, and with the art/imitation, we are left with the interpretation of the imitator. This was the argument that Plato used to argue that arts were simple manipulation. Plato never considered the art as an experience unto itself.

Walter Benjamin, an author and theorist writing much later than Plato, in the 1920s and 1930s, takes that idea a step further and writes about a concept called “aura.” The concept refers

³⁵ Plato. *Republic - Book X*. Trans. C.D.C. Reeve. (Indianapolis: Hackett. 2004). 297-323

to an idea of specialness that a piece of art has, and whether or not reproducing it by mechanical means affects that specialness. He stated that authority and authenticity of art is challenged by reproduction. Benjamin believed that reproduction removes art from ritual. The authentic is no longer important. What Benjamin refers to as “aura” is tied to presence; there can be no replica of it. Benjamin uses the example of a painting versus a film. He states that the painting invites the audience to contemplate, while the film moves too fast for this; it thinks *for* the people.³⁶ This can fairly conspicuously relate to comics because in many ways they are both a painting and a film. The visual techniques of paintings are an art, just as comics are an art. Going further, film and comics are similar because they both have to convey some form of narrative. It can go both ways; a comic page can ask you to be contemplative just as easily as it can create visual shorthand, such as caricature, and do the thinking for you.

...The eliminated element in the term “aura” and go on to say: that which withers in the age of mechanical reproduction is the aura of the work of art. This is a symptomatic process whose significance points beyond the realm of art. One might generalize by saying: the technique of reproduction detaches the reproduced object from the domain of tradition. By making many reproductions it substitutes a plurality of copies for a unique existence.³⁷

In other words, Benjamin is describing a process by which authenticity is given up in favor of having multiple copies of an object. He further states that, “We define the aura of the latter as the unique phenomenon of a distance, however close it may be... Unmistakably, reproduction as offered by picture magazines and newsreels differs from the image seen by the unaided eye. Uniqueness and permanence are as closely linked in the latter as are transitoriness and

³⁶ Walter Benjamin. “The Work of Art in the Age of Mechanical Reproduction,” in *Illuminations: Essays and Reflections*, pp. 18-40 Schocken, 1969 [orig. 1936; pub. in Benjamin, *Illuminations*], 18-22.

³⁷ *Ibid.* 32

reproducibility in the former.”³⁸ This idea of “aura” is the lynchpin of many arguments, which favor “high culture.”

Horkheimer and Adorno articulate a difference between mass culture (culture industry) and art by stating that the standardized mode of production “makes the individual illusory.”³⁹ Although the authors were primarily concerned with jazz music, they did touch on cartoons and comic strips as examples of this “sameness” which infects the reader with expectations while reading that will ultimately be exploited by the culture industry.⁴⁰ Adorno speaks of how repetition dumbs down the reader; a comic lives in constant repetition. For example, the superhero costume makes what a character wears synonymous with the character. More importantly, this sameness creates expectations in the viewer wherein certain “beats” are adhered to; this and allows a text creator to modify messages. Much of the history of the comic book industry is wrapped up in making individual artist replaceable on the assembly line. The companies simultaneously encourage creativity that can be exploited for a later date and just as soon squelch it because they do not want the worker irreplaceable or the art to look unrecognizable, according to these expectations.

For comic books, I believe that this is the basis for the distinction between high culture art and low culture art. To put a finer point on it, consider the difference between a Lichtenstein painting worth thousands of dollars and an Irv Novak or Wally Wood comic page worth hundreds of dollars, noting that Lichtenstein’s offering is effectively the same picture made larger and then painted. In addition, some of these distinctions start to break down when one

³⁸ Ibid 34

³⁹ Theodor Adorno and Max Horkheimer. *Dialectic of Enlightenment: Philosophical Fragments*. (Stanford: Stanford. 2002). 63.

⁴⁰ Adorno T and Horkheimer, *Dialectic of Enlightenment*. 68-71.

considers that a panel in a comic book was a fraction of a one-time payment to that artist; when it is removed and put into a frame, it becomes a ‘work of art.’ Comics critic Bob Levin, “Before Duchamp, this huge gulf separated Art from Non-Art and Artists from Everybody Else. Art was, roughly speaking, something hanging on a wall with a frame around it. Non-Art was everything not in a frame. Artists were the guys that filled the frame.”⁴¹ He makes the distinction between the artists, or those that are cultured/creators and ‘everyone else,’ or the people. Levin makes distinct the artist from the rabble; those involved in high culture endeavors versus the rest of mass culture.

By way of contextualization, in the 1960s Roy Lichtenstein created several pop-art paintings based on the look of comic books. Russ Heath drew much of Lichtenstein’s source material. Levin says of these paintings, “As far as I can tell, Lichtenstein never *exactly* reproduced the panel. He edited the text; he modified the shapes; he altered the colors. More importantly, the [Russ] Heath is a couple of inches square, on paper, in narrative sequence and probably, was lying in some closet in a box. The Lichtenstein is huge, shiny, on canvas, and isolated on one of those sanctifying walls.”⁴² He states that Heath was tiny while Lichtenstein was huge. Many of these same arguments are made about the difference between film and television.

Levin Further states, “Heath was not saying, ‘I am an Artist and this is Art.’ He is saying, “I draw comics, so this can be tossed. His panel contributed nothing to anyone, once it had been thumbled past, until Lichtenstein yanked it out of context and placed it so it resonated in people’s

⁴¹ Bob Levin. *Outlaws, Rebels, Free Thinkers, and Pirates: Essays on Cartoons and Cartoonists*. (Seattle: Fantagraphics Books. 2005). 184

⁴² Levin *Outlaws, Rebels, Free Thinkers, and Pirates*. 186

minds.”⁴³ Levin’s argument for what art is revolves around context. In addition to the paintings needing to be placed on ‘sanctified walls’ and placed in a particular context, the comic panel needs to be decontextualized, reshaped, and recontextualized before it can be taken seriously as Art with a capital A. The main problem with this argument is that that if you ask a penciler what their job is, most of them will describe their job as “comic artist.” You may even have the same reply from other members of the comic assembly line such as the inker, the colorist, etc.

Postmodern pastiche attached itself to other artists, not just Lichtenstein; take, for example, the many reinterpretations of the Mona Lisa or the various reinterpretations of Edvard Munch and “The Scream.” One example of postmodern reinterpretation of “The Scream” that comes to mind is from the television show “The Simpsons” in which Homer, the father character, takes the place of the screamer and his family is standing on the bridge behind him. Where Munch’s painting is left to interpretation as to what upset the screamer, in “The Simpsons” it appears that Homer’s family is the source of his frustration; very little is left to the audience’s imagination.

Coming from the perspective of comic studies, the idea of “mass culture” for many decades was almost a foreign land. Working from the works of Louis Althusser’s definition, “mass culture” is that which is consumed by the masses and often ideologically infused,⁴⁴ and it is distinct from folk culture.⁴⁵ Therefore, the largest difference between authenticity and a consumable is the same distinction: is it a work of art, or a product? In Dick Hebdige’s definition

⁴³ Ibid. 186

⁴⁴ Louis Althusser “Ideology and Ideological State Apparatuses (Notes towards an Investigation)” *Marxists.org*. trans. Ben Brewster. Orig.1970/2018
<https://www.marxists.org/reference/archive/althusser/1970/ideology.htm>

⁴⁵ Bird, S Elizabeth. “Cultural Studies as a Confluence: The Convergence of Folklore and Media Studies.” Ed. Harold E. Hinds, Marilyn F. Motz, and Angela M.S. Nelson. Madison: Wisconsin UP. 344-355.

of subculture there is a constantly-shifting definition related to having a meaningful group experience outside of hegemonic culture.⁴⁶ In other words, a group that has its own way of dressing, speaking, etc. that would seem like nonsense to those outside of that group.

Interestingly, this creates a tension with comic books, which are marketed as a mass consumable that is practically a subculture.

Another condition which the laborers within the comic book industry live with is a tension within the industry which the majority of the companies involved are constantly in a fly-by-the-seat-of-their-pants periodical creation; the monthly/biweekly/weekly schedule leaves little room for breathing. While at the same time many creators wish to create “art.” The formal quality of the ongoing periodical causes it to remain “constantly in act 2” while having a simultaneous greater emphasis on creating ongoing value and intellectual properties with the possibility of later exploitation.

Comic Book

For the purposes of this inquiry, the question needs to be asked: “What is a comic book?”

In comic studies, arguably the earliest scholarly works about the theory of “what makes a comic book” are Will Eisner’s examinations of the medium in *Comics and Sequential Art*⁴⁷ and *Graphic Storytelling*,⁴⁸ wherein he examines exactly what makes a graphic novel as told from a craftsman’s perspective. He explains in detail things such as movement and time, so that other craftspeople can follow examples. Later, responding to Eisner, Scott McCloud writes about how image and text merge to create storytelling.⁴⁹ McCloud proposes a definition of comics moving

⁴⁶ Hebdige, Dick. *Subculture: The Meaning of Style*. London: Routledge. 1979.

⁴⁷ Will Eisner. *Comics and Sequential Art*. (Tamerac, FL: Poorhouse Press. 1985).

⁴⁸ Will Eisner. *Graphic Storytelling and Visual Narrative*. (Tamerac, FL: Poorhouse Press. 1996).

⁴⁹ Scott McCloud. *Understanding Comics: The Invisible Art*. (New York: HarperPerennial, 1994).

largely away from “sequential art” and more toward “juxtaposed pictorial and other images in a deliberate sequence.”⁵⁰ Later, McCloud’s works became cornerstones of the new field of Comic Studies. His works continue to be the most often responded-to because many feel his definitions are too limiting, leaving out potential “comics” such as single panel gag strips such as Family Circus because they cannot achieve movement or sequence.⁵¹ Thus, the argument continues as to whether something such as Family Circus is considered to be a comic or mere captioning. This becomes particularly interesting when discussing contemporary internet memes, which are effectively single-panel gag strips. Through these definitions, the forms become related and are important to each other; however, newspaper strips and animation are not included in this study. The industrial practices of newspaper strips and animation are significantly different, given the nature of the distribution channels which they use.

When considering comic books in comparison to the differences presented by animation and newspaper, there exists another question: “Are comic books a medium, or a genre?”

The definition of ‘comic book’ complicates a bit when dealing with genre and consumption. The primary genre of comic books in America is superhero comics. Often, the term comic book and superhero are conflated because of their non-mutually exclusive status in America. For example, as summer film season comes around this year “Thor,” “Captain America” and “Green Lantern” have been referred to as “comic book movies,” which is true, but more appropriately they are “Super Hero” movies. This conflation also has the side effect of

and Scott McCloud. *Reinventing Comics: How Imagination and Technology Are Revolutionizing an Art Form*. (New York: Perennial, 2000).

⁵⁰ McCloud, S. *Understanding Comics* (1994) 9

⁵¹ Robert C. Harvey. “How Comics Came to Be: Through the Juncture of Word and Image from Magazine Gag Cartoons to Newspaper Strips, Tools for Critical Appreciation plus Rare Seldom Witnessed Historical Facts.” *A Comics Studies Reader*. eds. Heer, Jeet and Kent Worcester. (Jackson: University Press of Mississippi, 2009). 25-45.

marginalizing other genres of comic books, such as manga. Manga is a style of Japanese comic book, but because they are not traditional superhero publications, they end up not sharing self-space in many comic retailers and bookstores; each has their own section (and audience) and never the twain shall meet. However, if one assumes that comic books are merely a medium, this complicates the reality of digital comics.

Comic Book Industry

Over the course of this research, there is a question of whether or not there is “A” comic book industry rather than several industries that act alike and move together but are actually discrete. Recently, Benjamin Woo asked this very question in his article, “Is There a Comic Book Industry?”⁵² He came to the conclusion that it was a certainly a diverse industry, his account largely based on geography and diversity of product. Another researcher wondered whether the word “industry” should even apply to comics, as so many who create comics do it as a form of expression and far fewer do it for actual employment.⁵³ The researcher in question was examining the Australian comic book industry, which is much smaller than the American equivalent; however, some of these same questions could be asked about the American comic book industry.

There is certainly a question concerning whether the comics industry is primarily a publisher, an intellectual property farmer, or a collectibles manufacturer. For my purposes of drawing boundaries and by way of defining the term, “the comic book industry” remains a somewhat distinct place from other, seemingly related industries, such as animation and

⁵² Benjamin Woo. “Is There a Comic Book Industry.” *Media Industries* 5.1 (2018). 27-46

⁵³ Amy Louise Maynard. “For the Love of the Craft: Industry, Identity, and Australian Comics” In *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. 21-33. (London: Palgrave-MacMillan. 2016). 27

newspaper strip cartoons. Early in the history of comic books, these three industries were not so terribly distinct. In fact, since comic books started as reprints of newspaper strips, in the pre-1930s era these industries shared talent and management.⁵⁴ However, they did become distinct as comics created their own original material, animators gained the protection of Hollywood, and strip creators gained the protection of newspapers.

It should be noted that in a historical and contemporary sense these distinctions act somewhat arbitrarily because these industries still often share labor and intellectual property. However, how the comic book industry ‘acts’ is sometimes akin to other similar industries; for example, in its extensive use of work-for-hire contracts; and sometimes it ‘acts’ differently, for example with the near-monopoly on distribution possessed by Diamond Comics.⁵⁵ I felt that any question of this idea had to start with Diamond Distributing. Diamond is the primary distributor of comic books to comic book specialty shops. Diamond dictates release schedules and terms for many of the companies, deciding what they distribute and what they do not. In that way they act as a gatekeeper to the industry. The primary instrument of their discourse is a monthly catalog they distribute called “Previews.” It is 500-some pages and includes every item they intend to distribute for any given month. Some items have a full page or several pages to themselves and others have a mere blurb.

I would be remiss, however, if I did not mention there are plenty of comic books that do very well outside of the direct market system, such as graphic novels published by traditional

⁵⁴ Fred Van Lente (w), and Ryan Dunlavey (i). *The Comic Book History of Comics*. (San Diego: IDW Publishing, 2012). Print.7-36

⁵⁵ Diamond Comics is the sole distributor of most of the mainstream printed comic books. Marvel, DC, Image, and Dark Horse, who comprise 80+% of the comic market, all have exclusive agreements with Diamond. They ship through UPS and come in on Wednesdays; hence, fandom refers to Wednesday as ‘new comic book day’ and people who buy comics every week are referred to as “Wednesday warriors”

book publishers. Take, for instance, The *March* series, by the activist and Senator John Lewis.⁵⁶ This graphic novel was the top graphic novel and the 9th top selling book in all of non-fiction in the bookstore market for February 2017.^{57, 58} Yet in that same month, *March* was only the 9th best-selling graphic novel in the comic store market, next to *Rick and Morty vol. 4*.⁵⁹

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However, when speaking of the comic book industry, there are distinctly different formal and media elements that *do* conform to those comic industry standards which one might believe might actually be distinct, such as graphic novels and digital comic books. Again, the distinction has much to do with the intellectual property created. Often, these texts are multi-media in nature. Take the intellectual property *Garfield*. *Garfield*, while primarily known as a long running comic strip for Universal Press Syndicate, also has been a cartoon (CBS 1988-1994), a computer-animated feature film, and currently has original adventures published in a comic book (2012-current, BOOM! Studios). *Garfield* has even spawned many, *many* derivative products including toys, t-shirts, lunchboxes, school supplies, etc. *Garfield* as an intellectual property exists across many platforms, including comic books. Nevertheless, each platform treats the intellectual property differently in form, creation, context, and reception.

⁵⁶ John Lewis (w), Andrew Aydin (w), Nate Powell (i). *March : Book One* .(Marietta, GA : Top Shelf Productions, 2013).

⁵⁷ And the rest of the year.

⁵⁸ Michael Cavanaugh. "John Lewis's 'March' becomes nonfiction bestseller in wake of New York Times list shake up." Washington Post. Pub. Feb. 3, 2017. <https://www.washingtonpost.com/news/comic-riffs/wp/2017/02/03/john-lewiss-march-becomes-nonfiction-bestseller-in-the-wake-of-new-york-times-list-shakeup/>

⁵⁹ Diamond Comics inc. "Top 100 Graphic Novels: February 2017." Previewsworld.com. Diamond Comic Distributors. Pub: Mar. 6, 2017. <https://previewsworld.com/Article/191246-Top-100-Graphic-Novels-February-2017/>

Because of the value of intellectual property to the industry, in an effort to create more integration, for last 30 years large conglomerates such as Disney and Warner Bros. have been purchasing the comic book companies within the industry, treating it as a place to strip mine intellectual properties with built-in fan followings. Consequently, with the comic book industry equating to essentially a mere source of intellectual properties, seemingly unrelated industries, including t-shirts and toys, come under the bottom-line for the comic industry, but not other industries which seem more related, such as newspaper comics or cartoons (not based on a comic property).⁶⁰ As a result, there is a distinction in terms of how people within the industry view intellectual property rights. Within the industry there are two directions creators take with work primarily, either work-for-hire and others have decided to go for creator-owned works only.

Industry publications, such as CBR and the Comics Journal, have predicted the demise of the comic book industry for a very long time, the first time being as early as the 1950s, then again in the 1970s and the late 90s, then yet again in the mid-2000s. There was even an (out of context) quote at San Diego Comic Con 2017 from an editor that the industry was collapsing.⁶¹ The short explanation is that comic books are an industry in flux. Every new form of media innovation brings with it a harbinger of doom; from the television and the internet all the way to comic book innovations themselves such as inexpensive trade reprint collections, industry experts come along who are convinced that the new medium or innovation will “kill the comic book.” Yet the comic book persists; and, at times, even flourishes. To that end, I wonder whether these people who are steeped deep into the industry actually have a fundamental

⁶⁰ Examining animation projects based on a comic book property is such a huge and separate issue that to do so would be beyond the scope of this study.

⁶¹ Todd Allen. "Is The Comics Industry Collapsing? Let's Talk About The Hyperbole And DC'S New Initiatives". The Beat. (blog) Pub: July 26 2017. <http://www.comicsbeat.com/is-the-comics-industry-collapsing-lets-talk-about-the-hyperbole-and-dcs-new-initiatives/>.

misunderstanding of it, or perhaps they simply cannot see the forest for the trees. In other words, perhaps their perception of the comic book industry is limited enough that the death of a particular limb of the industry appears to be the death of the entire forest.

These complications of the business are a facet of the industry; over the course of this study, I learned that many different comic book publishers seem to be in different businesses. Sometimes it seems they are in different games and sometimes in different leagues. As this started to emerge, I wondered whether there was a comic book industry at all, and if so, what it was.

Many times, the divide between mainstream and independent comic book creation lies largely on the line of work-for-hire versus creator ownership. Many of the comic book companies have different product mixes. Marvel and DC focus most of their efforts on cultivating their own intellectual properties, while other companies run the bulk of their business on licensed properties, such as IDW Publishing and Dark Horse Comics. Smaller publishers concern themselves with actually publishing comic books.

I tend to think of the comic book industry as an ecosystem. There is stability then disruption, and eventually a return to homeostasis. However, more importantly, there is symbiosis. Consider this quote from one of my interviews from Source-Point Press publisher Travis McIntire, who says of the comic book industry today regarding customers' purchasing habits, "They don't just go to the store on Wednesday and buy their pull lists. Plenty of people still do and that's great, we need those people for the industry. I need those people who buy X-Men, even though I don't publish X-Men. I need the Batman guys to do their Batman thing because I need the industry to be healthy. More and more people are discovering comics outside

that cultural phenomenon of the Wednesday Warrior.” As a result, the smaller publisher needs the larger publisher to continue being healthy for his business to remain viable.

Intellectual Property

Feelings about the ultimate ends of comic book industry can range from people who see it as a publishing medium intended to sell the comic books for the sake of themselves to those who see comic books as a place to establish intellectual property (IP). Theories about intellectual property can range all over from strict interpretation of IP through very loose interpretations. “Artistic endeavor” as a theory is interesting because IP enforcement can also be all over the spectrum. For the artist, innovation occurs and copyright or trademark (the enforcement mechanism for IP law) is intended to protect those innovators.

The relationship of intellectual property to copyright law was intended as a protection of creators’ rights.⁶² However, in many creative fields (like the comic book industry), copyright law actually works much more to oppress individual creators than to help them, because more often than not, the *corporation* mediates the intellectual property.⁶³ Throughout the history of copyright, large corporations have leveraged the law to stifle intellectual property development on the part of individuals. Zorina Kahn actually makes the point that the initial use of copyrights was to spur economic development by allowing individual and non-elite stakeholders an

⁶² Mario Biagioli. “Patent Specification and Political Representation: How Patents Became Rights” In *Making and Unmaking Intellectual Property: Creative Production in Legal and Cultural Perspective*. Ed. Biagioli, Jaszi and Woodmansee. 25-40. (Chicago: University of Chicago Press. 2011). 26

⁶³ Catherine L Fisk. *Working Knowledge: Employee Innovation and the Rise of Corporate Intellectual Property 1800-1930*. (Chappel Hill: UNC Press. 2009). 1-3, and B. Zorina Khan. *The Democratization of Invention: Patents and Copyrights in American Economic Development, 1790-1920*. (Cambridge: Cambridge UP. 2005). 9-10

opportunity to benefit from the contribution of knowledge, therefore creating competition.⁶⁴

Khan points out that much of the American copyright and trademark system has implications not only for freedom of speech and property rights, but also the diffusion of knowledge and social mobility.⁶⁵ Intellectual property laws hamper much of the mobility because the intellectual property becomes property of corporate entities through various legal means, rather than the creators themselves.

As an entertainment medium, comic books themselves are past their heyday. Fewer people buy comic books in the modern age. Although comic books are a several hundred-billion-dollar a year industry, most of that money comes from licensing and rather than from publication. The multimillion-dollar-earnings of publishing are down from the all-time high of several *billion* dollars from back when comics were far more unique. So small are the publication markets that within the book titled “Entertainment Industry Economics,” the total of the publishing industry only occupies 20 pages in an almost 600-page book and comics themselves occupy a single line.⁶⁶ The entertainment industry occupies a large portion of American incomes.

There isn’t a lot of money in the publication itself, but there is huge business in these intellectual properties. In 2008, CNN Money said of Marvel (which consistently accounts for approximately 40% of the industry), “In the quarter ended June 30, publishing accounted for \$32 million of Marvel’s \$157 million in revenues, and \$11.7 million of its \$85.2 million in operating

⁶⁴ Khan, B.Z. *The Democratization of Invention*. 15

⁶⁵ Khan, B.Z. *The Democratization of Invention*. 310

⁶⁶ Vogal, *Entertainment Industry Economics*, xx.

profit. The bulk of the rest came from licensing—which generates even higher margins of more than 80%”⁶⁷

The intellectual property derived from comic books is making more money than ever before, and the treatment of those who created those properties jointly seems worse than ever before. In the era of the internet, industry infighting has become much more public; or, arguably, people have merely become more aware of the issues within it. Jim Starlin is the creator of Thanos, who is the primary antagonist of the 22-film Avengers franchise, of which each film netted around a billion dollars.⁶⁸ It is reported that Starlin actually hates Marvel because of his treatment; he was initially unhappy with the money given to him for the extensive use of his characters Drax and Gamora, two of the main heroes in the Marvel films, as well as the use of his creation Thanos as the primary antagonist. He states that rival WB/DC Comics gave him more money for their use of a virtually unnamed background character than Marvel did for the use of any of his main characters.⁶⁹ Perhaps this merely illustrates the uneven treatment of creators rather than actual malice. Nevertheless, after the publication of the feud, Starlin and Marvel/Disney worked out their problems; now his grievance is with the publishing division itself, because a story he wrote and had approved is strikingly similar to a story being released by

⁶⁷ Richard Siklos. "Spoiler Alert: Comic Books Are Alive And Kicking - Oct. 13, 2008" (Fortune Magazine/CNN Money) Pub: Oct. 13, 2008.
https://money.cnn.com/2008/10/10/news/companies/siklos_marvel.fortune/

⁶⁸ Tim Midura. "Jim Starlin Has Enough Of Tom Brevoort & Leaves Marvel". *Theouthousers.Com*. Pub: Dec. 20 2017.
<http://www.theouthousers.com/index.php/news/139832-jim-starlin-has-enough-of-tom-brevoort-leaves-marvel.html>.

⁶⁹ Jim Starlin's facebook page. Published: Jan. 24, 2017. Accessed Jun. 6, 2018.
<https://www.facebook.com/jim.starlin.94/posts/1558674220814277>

another writer writing the same character in a different series, the latter of which is slated to come out first.⁷⁰

Work for Hire

This uneven treatment of labor comes from the contracts these creators sign when they work for a company. Work-for-hire contracts can differ wildly depending on several factors: relative popularity of property, relative popularity of the creator, the overall health of the company originating the contract, and more.

One who is work-for-hire is also considered to be self-employed. American ideology really latches on to this idea of one who is self-employed as the right way to conduct oneself, self-determination and self-reliance being emphasized as ideals that indicate someone has worked hard for what they have and “pulled themselves up by their bootstraps.” In a system of meritocracy, the self-employed person is one who is the best at what he or she does.

Even the term “freelance” has a double-edged connotation which relates to the idea of nobility, the *lance*, the noble knight that will come in and save the company by slaying all its paperwork dragons, but also the *free*, which has a positive connotation of power by being unrestrained. However, combined, the terms *free* and *lance* may become associated with a mercenary mindset.

The truth is that the economic system of the United States is not built for freelance working. It benefits citizens setting down roots and developing stability. The freelance system is very prohibitive and expensive to this kind of worker. The American system is built around the

⁷⁰ Abraham Roesman. “The Creator of Avengers: Infinity War Villain Thanos Hates Marvel Comics’ Guts.” Pub. Apr. 20, 2018. Accessed Jun. 6, 2018.
<http://www.vulture.com/2018/04/jim-starlin-creator-of-infinity-war-thanos-hates-marvel.html>

idea that one should set roots in and be a part of a community; various form of work provide advantages to this way of living. In the long-term, having a mortgage is much cheaper than renting. Having a lease is cheaper than month-to-month. Stability!

The choice to go freelance is a bit of a Faustian bargain. This is not to say that there aren't advantages for the freelance worker; the ability to move marketable skills from company to company, the ability to work whenever and wherever desired, the potential (at least in theory) for unlimited income. This is often a selling point for companies such as Uber. The worker has control over the acceptance of clients. Disadvantages for the worker of freelance work include: the diversity of work done, the inconsistency of income, the tax liability, an inability to pass the buck, the difficulty time-sharing between home life and work life, and the lack of any employee benefits (health insurance, paid vacations, etc.).

The biggest advantages of freelance work for a corporation that employs freelancers: there is no requirement to pay out benefits to employees, and the relationship with the employee may be terminated at any time via non-renewal of contract with no requirement to pay unemployment benefits. The largest disadvantage for the corporation of freelance work is that talented workers can and will move on to better opportunities (in comics: other companies, creator-ownership, or various other media) and, as such, they have little-to-no company loyalty. Over the course of my ethnography, one interviewee inverted the idea of "control" for the freelancer by saying, "every job could be your last job; you could decide that or the company could, but any job could be it." To that end, the freelance mentality is infused with the idea of self-determination.

The biggest problem with work-for-hire is when the industry is done with you as a worker. The industries that typically use the work-for-hire systems rarely build in long-term

protections for these workers. In an article written in response to the “Life over Fifty” piece written by Jerry Ordway, on 3/3/13, he states, “I am thrilled to be well-remembered and respected in the comic book community, and to have fans willing to pay me to draw commissions, but I got into comics in order to tell stories.” Ordway goes on to describe his struggle to get work when the house style of the two major publishers moved away from the look of his own distinctive style.⁷¹

The implication of Ordway’s article is his belief that the problem stems from ageism. Ageism is a state wherein someone might seem less useful as a result of them being older than those of a younger age entering the same industry. This condition is most likely attributed to the perception that the young can work more, for longer, and are willing to work for lower rates just to make a name for themselves.

A follow-up article written by Joseph Hughes a few days later, “Legendary DC Comics Artist Jerry Ordway Doesn’t Want to Be Legendary, He Wants to Work” points out that Ordway didn’t fall out of favor as a result of age; rather it was his *style* that fell out of favor. As a result, the problem was not ageism so much as it was a style mismatch. The result is that a storyteller for almost 25 years cannot get a regular penciling job for more than the rate he was being paid at in 1988.

Another artist facing a similar situation took matters into his own hands. Artist Don Rosa, the creator of the “Duck” line of comic books for Disney, wrote an article titled “Why I Quit

⁷¹ Joseph Hughes. “Legendary DC Comics Artist Jerry Ordway Doesn’t Want to be Legendary, He Wants Work” ComicsAlliance.com. (blog) Pub: Mar. 3, 2013. <http://www.comicsalliance.com/2013/03/07/jerry-ordway-ageism-dc-comics-superman-work-for-hire-essay/>

See Also: Jerry Ordway. “Life Over Fifty” Pub: Mar. 2013. <http://ordstersrandomthoughts.blogspot.com/2013/03/life-over-fifty.html> /13.

Comics”,⁷² wherein he mentions in part that Disney had published his work over and over, in dozens of countries and formats; some of them even named after him; but he got no royalties.

He even went on tour to promote these books. He states that journalists asked him what it was like to be a millionaire off of the work he loves. Rosa was not, in fact, a millionaire; he was receiving no royalties for the books he was promoting. It was then that it occurred to him that the readers did not understand his work-for-hire relationship with Disney and just assumed that he was getting royalties and residuals from all his work with the “Duck Family” books, including the numerous reprints. The narrative he tells about how frustrating this situation was details that he initially got upset about how the system treated him, but then he had a lucky break and decided to fight it by trademarking his own name. As a result, whenever Disney republishes Rosa’s work, they owe him a small fee for the use of his name on these books.

The legal perspective for the term work-for-hire is the one that probably has the most bearing on people’s lives without them even knowing it. The legal definition works in the background and is fine print on contracts, oftentimes hardly noticed by either the employer or the employee.

The legal definition of work-for-hire states: The US copyright office defines “Work-for-Hire” as preamble “Copyright law protects a work from the time it is created in a fixed form... Only the author can rightfully claim copyright.”⁷³

Section 101 of the Copyright Act (title 17 of the U.S. Code) defines a “work made for hire” in two parts: A: a work prepared by an employee within the scope of his or her employment or B: a work specially ordered or commissioned for use 1 as a contribution to a collective work, 2 as a part of a motion picture or other audiovisual work, 3 as a translation, 4 as a supplementary work, 5 as a compilation, 6 as an instructional text, 7 as

⁷² Rich Johnson. “Disney Refuses To Allow Epilogue To Appear In The Don Rosa Collection” BleedingCool.com (blog) Published: Feb. 10, 2013.

<http://www.bleedingcool.com/2013/02/10/disney-refuses-to-allow-don-rosas-epilogue-in/>

⁷³ US Govt. “Works Made for Hire” (2012) <http://www.copyright.gov/circs/circ09.pdf>

a test, 8 as answer material for a test, or 9 as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire.⁷⁴

“The Supreme Court’s decision in *Community for Creative Non-Violence v. Reed* addressed that definition. The Court held that one must first ascertain whether a work was prepared by (a) an employee or (b) an independent contractor.”⁷⁵ In the first case, creative works done while employed at the company are assumed to be “work-for-hire.” In the second case, contract negotiations need to establish the nature of the freelance relationship. That is to say, when people do work-for-hire, they have a right to sell their wares. However, oftentimes this right is invisible to the public.

In many ways, these work-for-hire contracts and their infinite potential has undercut the stability required for American society to work correctly. The “1099 economy” or “uber-economy” has created a whole class of workers who have a sense of self-determination but are often suffering from a lack of stability.

Precarious

The term *precariat* comes from the word *precarious*, meaning delicately balanced or likely to collapse. Guy Standing defines the “precariat class” as skilled or technical workers who build a career out of casual (short-term) labor and low-income positions, with little to no security.⁷⁶

Guy Standing opens his text *The Precariat: The New Dangerous Class* by discussing a group of people of the late 1970s and early 1980s who saw the disempowerment of strictly Fordist economy and seemed to want to change that “drab full-time [...] subordination to

⁷⁴ US Govt. “Works Made for Hire”

⁷⁵ US Govt. “Works Made for Hire”

⁷⁶ Guy Standing, *The Precariat*. 7-11

industrial management and dictates of capital.”⁷⁷ In the post-industrial job force, this precariat class manifests in the movement described in Andrew Ross’s book, *No Collar*, who describes the same movement of workers dissatisfied with the alienation of their work and attempted to recast it. Ross describes the movement as the “humanized workplace,” but effectively what happened was the new economy created short-term positioning for these employees and a degradation of the distinction between work time and private life.⁷⁸

I think of the people I studied as the ‘creative precariat’; a subset of that precarious class because they live under many of the same conditions as other precariats (short-term contracting and no stability), but *also* because the creative positions they possess allow them to live with greater autonomy in their careers than other members of this class. Autonomy within the creative class creates an illusion for them, which allows the people within the class to deny that they are subject to exploitation. The creative precariat has gotten a bit more attention recently because many popular culture creators are able to collaborate through social media and see that the struggle is not individual, and that they do indeed constitute an entire class.

Under the conditions of the neoliberal economic system, this precariat experiences much of the same alienation that the cultural creatives encounter in the workplace. Their labor, just like any other subject’s, is vulnerable to global market shifts and flexible accumulation policies.⁷⁹ The uniqueness of their skillsets insulates the creative workers, yes, but as a member of the precariat just like other workers who are under short-term contracts, they, too, are often at risk.⁸⁰

⁷⁷ Guy Standing. *The Precariat*. 1

⁷⁸ Andrew Ross. *No Collar: The Humane Work Place and Its Hidden Costs*. (Philadelphia: Temple UP. 2004). 7,18. Also, Guy Standing. *The Precariat*. 13.

⁷⁹ George Lipsitz.. *American Studies in a Moment of Danger*. (Minneapolis: Minnesota UP. 2001). 18-20

⁸⁰ Guy Standing. *The Precariat*. 23

However, not all creative workers are in the same situation. Some of them are in the precariat location; some are salaried.⁸¹ At the same time, a salaried job does not guarantee employment or security; it is only a slightly better position on the continuum.

Scott McCloud refers to a “secret labor of comics.” He is referring to all the narrative choices that go into a work that are largely invisible to average reader; the choices that are made before pen is ever put to paper and things are edited out.⁸² Not everything can be visible to the reader, and therefore the reader often assumes no work took place when, in fact, nothing could be further from the truth.

Furthermore, there is a secret labor for the freelancer which no one sees: how much hustle that person has to do for the next gig. For the ‘creative precariat,’ exploitation comes primarily in the form of the legal mechanism of work-for-hire contracts. This type of oppression for working creators creates constant striving for more and more short-term employment situations, causing the precariousness.

Now, the precariat is not universal. Many people who work in the comic book industry are not oppressed in the way other 1099 workers are. Art is an opt-in career. In some ways, the comic book industry as an artistic endeavor was never intended to provide permanent stable work. There have been some who tried. There was a company in the early 2000s that tried to run comic books on a studio system named CrossGen Comics. In one of my interviews, Dexter Vines said of the job,

When I went to Crossgen. I went there because of the salaries, a weekly salary. I learned down there that money does not equate to happiness. It was the only time I was unhappy doing comics, the year I was at Crossgen. I remember my girlfriend at the time and I lamenting about the BS at the studio that day. It shouldn't be that way. I learned even

⁸¹ Matt Stahl. *Unfree Masters*. 22-23

⁸² Hillary Chute. *Outside the Box: Interviews with Contemporary Cartoonists*. (Chicago: Chicago UP. 2014.) 29.

though I was making all this money, this was not the way to go. [...] If I'm going to be unhappy and miserable, I'd rather be poor and happy.

This definitely reflects the feelings of many the workers within the comic book industry. They would rather the art not be strictly attached to the commercial aspects of the job.

As this inquiry moves forward, I intended to engage with these different ideas regarding comic books, intellectual property, and creator's rights with an eye toward creating a narrative that will advocate for a more fair system for those who create comic books.

In the next chapter, I do a historical overview of the comic book industry from the beginning as an examination of the corporate policies that largely still prevail today, such as the industry as a work-for-hire assembly line. This chapter follows through to where comic book creators first asserted themselves.

If the second chapter is about establishing the industry, the third chapter represents dialectical pull-away from establishment and starts with an examination of the rise of independent comics and a discussion of "The Bill of Rights for Comics Creators." This was intended to be an innovation that codified the rights of working people within the industry. Some young and brash men came along and enacted its policy in practice, with mixed results, and founded Image Comics. More recently one creator in particular, Robert Kirkman, articulated creator ownership as a manifesto to other creators to refrain from surrendering their rights to corporate comics as well as attempting to save the comic book industry as a whole.

The fourth chapter represents an examination of the current field with a discussion of current issues within the comic book industry. The current issues I found relate to larger cultural issues, such as sexism and other Culture Wars (liberal vs. conservative) issues. For the comic

book industry, many of these struggles derive from rhetoric in internet fan communities. These struggles within the industry have real consequences on the careers of the creators involved.

Over the course of the fifth chapter, I interviewed thirty creators of comic books across all levels of the creation process and in many places in their career trajectories. Through discussions of a typical day and dealing I found that while some of the conditions in which creators found themselves were self-imposed, such as workload and deadline, others were not, such as “standard” work-for-hire issues such as no/minimum profit share and not having health insurance.

In the sixth chapter, I attempt to weave together a synthesis of issues which came out over the course of my study. Some of these issues prompted by the project such as preciousness. Many of the issues that came out were not prompted, including frustration within the system and feeling trapped within the creative field.

In the final chapter, I try to look at the future of where the industry goes and what it means for the workers in that industry.

Conclusion

Through these ideas of alienation and precariousness, those who work in the comic book industry are “gig economy” workers in the most explicit sense. In the freelance world, the precariousness of the worker is only as good as their value to the marketplace. Often, exploitation within creative industries does not necessarily come from the exploitation of long hours and harsh conditions, although those conditions certainly exist. Much of the exploitation within creative industries comes from loopholes in contracts and naiveté in one’s understanding

of intellectual property rights. Therein lies the injustice of the contemporary comic book industry; one in which a billion-dollar franchise nets near-nothing for its creators.

Comic book heroes are about justice. A question of justice arises around work-for-hire contracts. For instance, the film *The Avengers* (Whedon, 2012) made \$1.5 Billion for Marvel/Disney. The creators of the characters were paid a tiny fraction of that amount for those creations in the 1960s and receive no share of that billion and a half take from the film. The argument from the perspective of the companies is that they took the risk to make the film and should reap the rewards. In another example, the co-creators of the title character in the television show *Black Lightning* were paid a total of \$4,195 by DC/Warner Brothers for use of their character for a full season.⁸³

Conversely, take the example of the comic book “The Walking Dead,” which has become a popular television show, among other multimedia artifacts. While there is no official number, economic website MotleyFool estimated “The Walking Dead” to be worth a billion dollars.⁸⁴ In this case, creator Robert Kirkman split his original rights with his comic book collaborators, and they are all now millionaires. Kirkman is an outlier but an outlier that is not without precedent. It has happened before with the property *Teenage Mutant Ninja Turtles* and others before.

Looking at the issues from the outside, it all comes down to “derivative works” and “merchandising” in work-for-hire contracts. The work-for-hire contracts that most comic creators work under stipulate that they get paid for the work that they did as a onetime fee and

⁸³ Rich Johnston. “How Much Did the Creators of *Black Lightning* Get Paid for the TV Series?” *Bleedingcool.com* Pub: July, 14, 2018. <https://www.bleedingcool.com/2018/07/14/creators-black-lightning-paid-tv-series/>

⁸⁴ Tim Beyers. “2 Reasons ‘The Walking Dead’ Could Be a Billion-Dollar Franchise” *The Motley Fool*. Pub: Apr, 21, 2013. <http://www.fool.com/investing/general/2013/04/21/2-reasons-the-walking-dead-could-be-a-billion-doll.aspx>

sometimes may receive tiny royalty payments for reprintings of the stories that the creator worked on. However, the works that are derived from the creator's work often fall under the ownership of the company.

In the case of comic book intellectual property, derivative works include things such as toys, video games, and film. These derivative works are where many of the multimedia conglomerates make much of their profit. For instance: Stan Lee, the co-creator of multibillion-dollar characters such as Spider-Man, the Hulk, and the X-Men, stated in a recent article that he regrets not being a "better businessman" and not negotiating for "share of ownership."⁸⁵

In a general way, the philosophical question asks, "Is this just?" Through some interactions with artists and writers of comic books, I've found that the working conditions within the industry create an *illusion* of autonomy. The industry refers to these people as "creators" on the things that they work on; however, they are paid flat rates for creation and sometimes not given "creator" credit, acting as a creator but being treated as a freelance employee. This type of question is not unique to the comic industry; for example, Andrew Ross asks the same sorts of questions about the information technology industry,⁸⁶ John Thornton Caldwell for the film and television industry,⁸⁷ and Matt Stahl for the music industry.⁸⁸ There may be a distinction for the creators between an absolute idea of what is just and a satisfactory sense of justice. In other words: for these creators, working on one's own terms, setting his or her

⁸⁵ Stephen Gerding. "Stan Lee Regrets Not Negotiating "Share of Ownership" In Marvel Creations" Comic Book Resources. Pub: Feb, 24, 2016.
<http://www.comicbookresources.com/article/stan-lee-regrets-not-negotiating-share-of-ownership-in-marvel-creations>

⁸⁶ Ross, Andrew. *No Collar*.

⁸⁷ John Thornton Caldwell. *Production Culture*

⁸⁸ Stahl, Matt. *Unfree Masters*.

own hours, and working from home or in a creative environment may be more valuable than long-term ownership in a property. Overall, there has to be a more fair way to treat creators equitably when considering that the livelihood of a creator is being put against the stake of potentially millions of dollars in intellectual property.

Although intellectual property rights are important, many who also get into the industry with the understanding they are being exploited. The exploitation occurs with the understanding they are getting an affective wage that creates a social value and partaking in a prestige economy. Sometimes people enter the industry to fulfill that lifelong-dream, sometimes they do it as a stepping-stone to doing other more stable creative work. However, there is an opportunity on the part of these workers to get that prestige and leverage it.

Chapter 2: Days of Future Past: ‘Lo! There Shall Come an Origin Story’

History

Historical considerations are one of the most studied facets of comics studies. History is important to look at for a number of reasons. For industrial comics studies, the most important reason is that the development of the industry led to many practices that are still in place today. To wit: how labor is treated within this industry, as well as how the subject matter itself is often judged as being the “stuff of children” or “little better than pornography.” This has consequences for my workforce study. The stratification of literary works explained in 1949 has worked along social class lines from most elite to most popular. The stratification works as such: the highest level is avant-garde literature and criticism; the next level down is described as solid nonfiction, better novels, and quality magazines. The second-to-last level is mass-market paperbacks, book club books, and mass-distribution magazines. The lowest level is media printed on the cheapest paper: pulp fiction (or pulps) and comic books.⁸⁹

In many ways, this disrespect of the medium has allowed a disrespect of the labor within the industry. John Lent wrote about unionization in the cartoon industry and states that the history of the comic arts in the United States “is replete with sad stories of laborers mistreated and otherwise marginalized.”⁹⁰ Gerard Jones⁹¹ points out in his introduction to *Men of Tomorrow*

⁸⁹ Jean-Paul Gabilliet. *Of Comics and Men: A Cultural History of American Comic Books*. (Jackson: Mississippi UP. 2010). xi

⁹⁰ John. A. Lent. “The Unfunny Tale of Labor and Cartooning in the US and Around the World.” in *The Routledge Companion to Labor and Media*. Maxwell, R. (Ed.). (New York: Routledge. 2015) 180-190.

⁹¹ Since the publication of his text, Gerard Jones has become a problematic figure in the comic historical community because of his later legal indiscretions. However, his research and conclusions still stand. Other sources used where possible

that “Some stories are obviously significant when they happen; others reveal their importance only over time.” He states that the men who created comic books lived day-to-day, [deadline to deadline], many never taking a moment’s reflection to consider the importance of the creations that filled the pulpy pages. He goes on to maintain that history is not always written by the winners. Comic book history is lopsided in favor of those who wrote it: the creators, who often wrote because they were hoodwinked and steamrolled by silent capitalists, who themselves continued to amass wealth from the creators’ labor.⁹² When I tell people that I write about comic book creators, their eyes light up and I always have to add, “For the creators, it’s rarely good news.” From that starting point, it is worth mentioning that every creator’s journey is different and every contract with the industry is different; much of what comes through are the trends and the extraordinary tales.

The importance of such a study comes from Paul Williams and James Lyons, who point to an earlier quote from Salvador Dali who said, “Comics will be the culture of the year 3794.” They note that comic books may not actually not be that far from becoming the culture, in part because comics are everywhere whether we realize it or not. Comics occupy both “high art” and “mass media” in the cultural hierarchy simultaneously. They state that the reason the medium is able to occupy that spot has much to do with the “course of industrial, cultural, and academic institutions that reshaped the production and reception” as well with “cultural, economic, generic, ethical or aesthetic” conditions.⁹³ The ‘field of production’ of comic books exists in

⁹² Gerard Jones. *Men of Tomorrow: Geeks, Gangsters, and the Birth of the American Comic Book*. (New York: Basic Books, 2004). Xiii-xiv

⁹³ Williams, Paul and James Lyons. “Introduction: In the Year 3794” in *The Rise of the American Comics Artist: Creators and Contexts*. Paul Williams and James Lyons (Eds.). (Jackson: Mississippi UP. 2010). xi

other places, but it is necessary to examine the North American comic book industry because the majority of financial decisions regarding comic books are made by multinational corporations.⁹⁴

For the most part, rather than taking the overall view, most texts address particular events in the industry. Two books in particular are fantastic when looking at the overall history of comic books: Bradford Wright's *Comic Book Nation*, which is a brief history of comic books as a consumer item and *Demanding Respect: Evolution of American Comic Books*⁹⁵, which looks at the contribution of the medium to culture. Wright's text argues that that comic books and the comic book industry are representative of the historical events and technological developments that situate them. For example, the author writes about how comic books, and pop culture in general, needed to handle wanton destruction of people and property differently after the 9/11 attacks.⁹⁶ Each of these texts looks at the developmental history of the comics industry and the various effects that law changes and audience changes have had on the industry. While Lopes' book *Demanding Respect* focuses more on a social history of the medium while *Comic Book Nation* focuses more on the consumer, both books spotlight the industry and various things that have affected it from those points of view, including booms and busts, genre changes, and the Kefauver Senate hearings on juvenile delinquency, which instituted the Comics Code.

In a Word Balloon interview, Comic book writer Greg Rucka, warned the interviewer that anyone who writes about the history of comic books in the 20th century should do so with an

⁹⁴ Williams Paul and James Lyon. "In the Year 3794." xiii

⁹⁵ Lopes, Paul. *Demanding Respect: The Evolution of the American Comic Book*. Philadelphia: Temple UP. 2009.

⁹⁶ Bradford W. Wright. *Comic Book Nation: The Transformation of Youth-culture in America*. (Baltimore: Johns Hopkins, 2001). 290-293

eye toward paying attention to corporate mandates. His example was DC's Rebirth.⁹⁷ DC Rebirth was the walking-back on changes made to the characters after DC encountered sales resistance its most recent revamping of the line, "New 52," and according to Rucka, "Rebirth" was DC's way of saying, "our bad." He states that in that way, these top-down mandates affect comics just as much as anything.

There are two loci of control for the comic book industry to focus the lens: Internal forces, such as changes in editorial mandates, and External Forces, such as paper rations during the wars. Jean-Paul Gabilliet says, "Comics as a medium of expression should not be analyzed as an ahistoric, transcendent object. It is a multiplicity of endogenic (aesthetic) and exogenic (technological, economic, and cultural) factors," things that happen on the inside and things that come from outside.⁹⁸

Comics began in the 19th century as a way for comics syndicates profit off of already-printed material by reselling those comics in bound form, until they figured out that they could make even more money off of original work. When pulp fiction houses became involved, comics diverged in genre, moving away from funnies and toward genres such as action heroes and crime comics. As comic books were noticed for being wildly popular with children, places of authority such as churches, librarians, and psychologists became worried that comic books may have too much sway over children. To assuage these concerns, after the US Senate called it to national attention, comic book publishers instituted a self-censorship organization; "the Code"; which resulted in throwing out what made comics interesting, which then almost killed the medium.

⁹⁷ John Siuntres. "The Rucka Debrief Superman Wonder Woman Lazarus Black Magick & The Culture Wars" *Word Balloon*. Podcast Audio. Pub: Feb, 22, 2018.
<http://wordballoon.blogspot.com/2018/02/the-rucka-debrief-superman-wonder-woman.html>

⁹⁸ Gabilliet. *Of Comics and Men*. Xv.

Under the comics code, any comic that was about crime or horror was censored to make sure that authority was projected in a good light and that good always prevailed. In an effort to push against these rules, some people published underground comics, which were much more sexy and violent than anything that existed before the Code. It was from the popularity of these underground comics that a new way to distribute those comic books appeared that did not need code approval. This allowed independent publishers to sell comic books on the racks and sometimes make a decent living doing so. The successes of some of these independent publishers allowed the creators working on such titles to codify a set of rules that creators should allow themselves: “A Bill of Rights for Comics Creators.” The disconnect between being successful, and yet still restrained by corporate comic books, caused many creators to question their own careers. In the 1990s, several creators spun off from their unhappy conditions at Marvel Comics and founded their own company: Image Comics. Image creators’ rights into its mission statement. Sometime later, one of the creators publishing under the Image Comics banner, did extremely well for himself and had another call to action. As a result of this call to action, many creators saw his success and listened to his call, but found there were still problems within the industry that remained unsolved, such as those faced by minority and female creators. Exacerbating the struggles already faced by minority and female creators, an internet group of mainly conservative ideologues has formed groups and blacklists to combat what they feel to be liberal or radical indoctrination within the industry.

Funnies & Pulps

What we would recognize as a “modern comic” first appears in the late 19th Century and continues into the early 20th century with the coalescence of two other popular mediums: the

“funny papers” and “pulp.” In many ways, these two mediums could not be more similar and simultaneously more different.

Many of the first comic books were descended from funny papers, which themselves were reprints of the newspaper funny strips. The “funnies,” so-named due to the fact that at that time the average person’s interaction with comics was via the strips in the newspaper’s funny pages, meant that “comics” and “funnies” earned these names because many of the strips were humorous. The funny genre of strips was popular, but many other genres of strips existed in the early 20th century, including adventure strips, cowboys, detective strips, and even genres modern audiences might not readily recognize today, such as “boy gang” strips like *Young Rascals* and *Yellow Kid*.⁹⁹

At the time, one of the most popular comic strips (and later reprint books) was called *Hogan’s Alley*, which introduced a breakout character called The Yellow Kid. The strip featured the adventures of children who lived in tenement housing.¹⁰⁰ The Yellow Kid was as popular as a comic strip could become in its day: so popular that Yellow Kid’s presence alone could be used to sell newspapers.¹⁰¹ Popular enough, in fact, that he became an advertising figurehead for cigarettes, chewing gum, and a spokesperson for products including soap and tea.¹⁰² The

⁹⁹ Rick Marschall. “Cartoons and the Selling of America” in *Drawing Power: A Compendium of Cartoon Advertising*. (Ed.) Rick Marschall and Warren Bernard. Seattle: Fantagraphics Books. 2011. 10 – 11.

¹⁰⁰ These strips were so popular that they created the term “Yellow Journalism,” so named because two newspapers in a city would fight over the sensationalist opportunity to be called the “Yellow Kid Journal.” The result was that the term began to apply to any sensationalist story: this style of reporting itself came to be called “Yellow Journalism.” From: Harvey, Robert C. *Children of the Yellow Kid*. (Seattle: Frye Museum and Washington UP. 1998. 19-20.)

¹⁰¹ Harvey, Robert C. “How Comics Came to Be.” 38.

¹⁰² Marschall, Rick. *Cartoons*. 27

cartoons were used to explain tenuous claims and to make lies irrelevant.¹⁰³ The Yellow Kid's importance as an influence on later comics and merchandising cannot be understated.¹⁰⁴ Its popularity managed to gain the creator, R.F. Outcault, enough notoriety that he was able to create another venture, his own advertising agency, that itself later spun out the popular shoes brand Buster Browns, named after another cartoon created by Outcault.

While the newspaper strips sold like gangbusters in syndication, the publishers soon discovered that they could create a new revenue stream by republishing the strips bound and printed as a book. Undoubtedly, they had reasoned that they already commissioned the art; there was no reason to not make as much money off of it as they could. For decades, comic strips were collected into books and sold as reprint collections. Book collections of *The Yellow Kid* did well, but it took other collections of comic strips quite a while to catch on.¹⁰⁵ Eventually Dell Publishing, and later Max Gaines, figured out that if the newspaper was selling because of the comic content, why not just sell the comic content in weekly reprint format? They did just that, eventually selling tens of thousands of copies of their new format: the "comic magazine."¹⁰⁶ Considering the popularity of the first comic strips, it was known that this popularity could be parlayed into other forms. This is the power of comic book intellectual property to corporations and creators.

¹⁰³ Ibid 13

¹⁰⁴ Matthew P. McAlester, Edward H. Sewell, Jr. and Ian Gordon. "Introducing Comics and Ideology." In *Comics & Ideology*. Ed. Matthew P. McAlester, Edward H. Sewell, Jr. and Ian Gordon. (New York: Peter Lang Publishing. 2001). 1.

¹⁰⁵ Gabilliet, Jean-Paul. *Of Comics and Men*. 6.

¹⁰⁶ Wright. *Comic Book Nation*. 3-4.

Besides the funny papers, the second prong to the history of the comic book industry is interesting in and of itself. The industry also started as a spin-off venture for pulp magazine publishers. Many early comic book publishers shared offices with, and likely came from, the pulp magazine industry. The pulp magazine was a thematic or genre-specific anthology of fiction stories printed on cheap “pulp” paper to maximize profit. The pulp paper also reflected the quality of the work on these books: cheaply printed, cheaply produced and produced in mass quantities. There were nearly one-hundred options for these monthly pulp magazines in any given month during the interwar period.¹⁰⁷

Working in either the pulp or the comics industry was considered career suicide if you were a serious writer or artist.¹⁰⁸ Since many comics grew out of pulp fiction, they had similar themes; some, like the pulps, even pushed the boundaries of obscenity.¹⁰⁹

In the early days, the pulp and comic book industries were not highly-regarded as vanguards of intellectual property; quite the contrary, in fact. Although many pulps told genre stories, westerns, science fiction, and detective stories, many pulps also appealed to people’s more shocking sensibilities. The covers of these books often depicted bondage, death, sadism or implied nudity. The contents were not much better, often also being obscene. In this context, it is less surprising to learn that mobsters also ran the industry, at least in part. The gangsters muscled out legitimate businesses in neighborhoods, eventually owning newsstands, and posting their own newsboys, moving up the distribution chain through intimidation. They eventually ran the

¹⁰⁷ Blake Bell and Michael J. Vassallo. *The Secret History of Marvel Comics: Jack Kirby and the Moonlighting Artists at Martin Goodman's Empire*. (Seattle, WA: Fantagraphics, 2013. Print). 23

¹⁰⁸ Wright, Bradford. *Comic Book Nation*. 7

¹⁰⁹ Bell, Blake, and Michael J. Vassallo. *The Secret History of Marvel Comics*.

distribution of magazines. In order for a magazine to make it to stands, a publisher would often have to make deals with these thugs.¹¹⁰

In 1935 saw the creation of the first original material comics: “New Fun” and “New Comics.” At first, the comics failed because distributors and outlets were unwilling to handle material that was not time-tested. However, after a time and an infusion of capital, a third title was added: “Detective Comics,” which deviated from the funnies.¹¹¹ The pulp genre sensibility, coupled with the medium of the funnies, allowed different genres to apply to the new comic book industry.

The pulp industry and newspaper industry had another important thing in common: rapid turnover of material. Under such conditions, high quality less of an issue than high quantity. As a result, both of these industries as well as the new comic book publishers needed cheap labor. At first most of them leaned on family connections and ethnic roots when immigrating. It is this reason that so many of the earliest comic book stories are by Jewish storytellers. Many of the immigrants had to rely on those connections because they could not easily get other work, either because they were freshly immigrated or because of their ethnic backgrounds. Jews had already made inroads at publishers because there was a market for Yiddish newspapers and it was rare to find someone who was non-Jewish that could typeset in Yiddish.¹¹² In his biography, Joe Simon describes that many of the earliest comic creators were also the sons of tailors.¹¹³ In a way, they grew up as men who understood how art (personalization) worked within industry (garments).

¹¹⁰ Jones, Gerard. *Men of Tomorrow*. 17.

¹¹¹ Wright, Bradford W. *Comic Book Nation*. 5

¹¹² Jones. *Men of Tomorrow*. 19.

¹¹³ Joe Simon. *My Life in Comics*. (London: Titan Books. 2011). 9.

By the time the comic book industry was established and ready to explode in the late 1930s, many of these family and ethnic connections put these people at the top of the industry.¹¹⁴ In the industry's early days, many "art shops" were established where publishers did not have the resources or knowledge to produce material on their own. These production shops worked like assembly lines, which created a division of labor for all the various steps in comic book production: writing, penciling, inking, and lettering, each done by a different person, all working on a freelance basis.¹¹⁵ In 1965, Jules Feiffer described the studio as such:

Artists sat lumped in crowded rooms, knocking it out for the page rate. Penciling, inking, lettering in the balloons for \$10 a page, sometimes less, working from yellow typescripts that on the left described action, on the right gave the dialogue. A decaying old radio, wallpapered with dirty humor, talked race results by the hour. Half-finished coffee containers turned old and petrified. The "editor" who'd be in one office that week, another the next, working for companies that changed names as often as he changed jobs, sat at a desk or drawing table – an always beefy man who, if he drew did not do it well, making it that much more galling when he corrected your work and you knew he was right. His job was to check copy, check art, hand out our assignments, pay the artists money when he had it, promise the artists money when he didn't. Everyone got paid if he didn't mind going back week after week. Everyone got paid if he didn't mind occasionally pleading.¹¹⁶

Will Eisner had set up his studio based on the animation studios that existed at the time. He created his studio with the idea he would retain the rights to the creations that came out of his studio, maintain quality, and meet deadlines. However, he said in an interview that he did not feel the people working in a studio were exploited or that working in his studio was like working in a sweatshop. Much of the exploitive nature of these contexts had to do with "integrity, goals, and personalities involved."¹¹⁷

¹¹⁴ Bell Blake. *Secret History*. 100-101

¹¹⁵ Wright. Bradford, W. *Comic Book Nation*. 6-7

¹¹⁶ Jules Feiffer. "The Great Comic Heroes." In *The Superhero Reader*. (Eds.) Charles Hatfield, Jeet Heer and Kent Worchester. (Jackson: Mississippi UP. 2013). 30 – 31.

¹¹⁷ Wiater, Stanley and Stephen Bissette. *Comic Book Rebels*. Xxi -xxii

Since the work did not pay well or come with much prestige, the creators of these books were often uncredited or used pen names. “Publishers generally preferred that their freelancers remained anonymous so that readers would not easily notice inconstancies resulting from staff turnover. The work-for-hire system, in which the publisher claimed all the rights to the characters created for its titles, further encouraged this system.”¹¹⁸ Joe Simon described his collaborative process with Jack Kirby as one where they would sit and discuss the events and one person would add, then the other would suggest, “Let’s do it this way.” However, when things were particularly busy, they would do the “assembly line thing.” They would try to make it all “mesh.”¹¹⁹

Comics were also comparable to other similar industries; a documentary about Walt Disney mentioned that before the Disney studio, people who created animation were largely invisible.¹²⁰ The people who worked within the comic “shop” system did so with little eye toward the future because it was assumed that comic books were a fad. Some people working in the system assumed comic books were a stepping stone to animation, newspaper cartooning, or book illustration.¹²¹ Most creators during the Golden Age of Comics (1940s-1950s) were invisible to the public, with rare exception. Jack Kirby, the co-creator of Captain America, is one such exception.

On occasion, the Timely office would get phone calls and letters from Nazi sympathizers threatening the creators of Captain America. Once, while Jack was in the Timely office, a call came from someone in the lobby. When Kirby answered, the caller threatened Jack

¹¹⁸ Wright. *Comic Book Nation*. 7.

¹¹⁹ Simon. *My Life in Comics*. 86-87.

¹²⁰ PBS: American Experience, Sarah Colt, Tom Jennings, Oliver Platt, *American Experience: Walt Disney: Part 1*, Broadcast, PBS, 2017.

¹²¹ Wright. *Comic Book Nation*. 7

with bodily harm if he showed his face. Kirby told the caller he would be right down, but by the time Jack reached street level, there was no one to be found.¹²²

Not all creators were like Jack Kirby. In some ways, it may have been better that these creators were mostly anonymous; without the protection of anonymity, many creators may not have created material people disagreed with due to the threat of bodily harm. At times, this anonymity served a simpler function: it disguised the racial make-up of those who created the prevailing culture of the day from persons who would find this makeup objectionable.

Case Study: Superman

It's hard to imagine today, but Superman was a character that transcended convention in his day and actually was a high-risk property. Bradford W. Wright suggests that Superman's success was that his masculine, cynical, and brash style really hit home for readers. He was bulletproof and stood up for what was just, if not necessarily for what was lawful. Wright states that during the Great Depression, when the American dream was distant because of scarcity and unemployment, the old heroes of the 19th century; Daniel Boone and Wyatt Earp, who tamed the old west; did not speak to audiences in the same way.¹²³ Superheroes often took root in the vacuum left by the folk heroes of the past.

The original creators of Superman were two young Jewish men from Cleveland: Jerry Siegel and Joel Schuster. Their road to selling Superman was a long one. These two men were exactly the kind of talent that the early comic book industry was attracting at the time. For the Superman property, there were several false starts.¹²⁴ Publishers rejected Superman repeatedly;

¹²² Stan Taylor. "Looking For The Awesome – 5. Making It Personal". The Kirby Effect. Published: Apr 10, 2016. <http://kirbymuseum.org/blogs/effect/2016/04/10/looking-for-the-awesome-5/>.

¹²³ Wright. *Comic Book Nation*. 9-11

¹²⁴ Jones. *Men of Tomorrow*. 109-110

the best bet the creators had was National Comics (the publisher that later became DC Comics), who sat on the property because they wanted to use it as a newspaper strip; the creators would have preferred this either way, because a newspaper strip would give them residuals. Eventually, National Comics gave Siegel and Schuster an offer to let the publisher use the strips that they had created in a new venture called “Action Comics.” They accepted the offer of \$10 a page for the 13-page story, along with a standard surrender of copyright, for a total of \$130. They were not thrilled, but settling for that paltry amount at least allowed the character to see print.¹²⁵ For National Comics’ part, everyone in comics and animation was looking for the next Mickey Mouse and the owners of National/DC Comics were looking for that figurehead on which to “build an empire.”¹²⁶

In the historical perspective, it is not entirely surprising that it took so long for the character to get attention. The character was quite different from what had preceded him. That delay allowed the creators to refine their idea over time.¹²⁷ He was dressed like a circus strongman and drew inspiration from Popeye.¹²⁸ Being an alien from another world, there were also some sci-fi elements to the character. His adventures were drawn from the pulp stories of *Gladiator* and *Doc Savage*. However, there were elements of Superman that were familiar to some readers such as the biblical origin story that mirrored Moses’ origin story; namely that of a baby sent to a foreign land to bring law and order, a story that Siegel and Schuster would have

¹²⁵ Wright. *Comic Book Nation*. 8-9

¹²⁶ Brad Ricca. *Super Boys: The Amazing Adventures of Jerry Siegel and Joe Schuster – The Creators of Superman*. (New York: St. Martin’s Press. 2013). 151.

¹²⁷ Interestingly, the idea that they refined the idea over time, and through several rejection processes, prior to working for National is the basis for one of the legal defenses as to why Superman would not be considered work-for-hire.

¹²⁸ Jones. *Men of Tomorrow*. 115

grown up with.¹²⁹ In addition, it's hard to deny that a people who were pushed around and forced to migrate would create many special individuals whose mission it was to "protect the weak, innocent and victimized."¹³⁰ Many of the men who worked in the early comic book industry were connected by family because it was difficult for people of Jewish decent to get work in the early 1930s and 1940s. Several first and second generation Jews faced routine and severe discrimination. For those reasons, several superheroes have their origins in Judaism, including Spider-Man, The Thing (from Fantastic Four), and several of the X-Men.¹³¹

The creators, whether deliberately or by accident, honed in on the anxieties of the day by having Superman fighting against fat cats and lobbyists. The character was an immediate success; Action Comics #1 sold out of the 200,000 print run on the very first weekend.¹³² At a time when most comics were selling between 200-400 thousand copies, comic book issues featuring Superman were selling double and sometimes triple that amount.¹³³ Over the next few years, the Superman character quickly spawned a radio program, serials, a newspaper strip, and countless commercial products with the Superman endorsement. Also, within the historical perspective, most people thought that comic books were a fad that would die out; no one saw long-term permanence in the industry. Superman changed that.

In the tradition of the industry, if something worked well, the best way to maximize profit was to chase the trend and clone it. Other companies looked to the Superman character as a

¹²⁹ Harry Brod. *Superman Was Jewish? How Comic Book Superheroes Came to Serve Truth, Justice, and the Jewish-American Way*. (New York:Free Press. 2012). 9

¹³⁰ Danny Fingeroth. *Disguised as Clark Kent: Jews, Comics, and the Creation of Superhero*. (New York: Continuum. 2007). 17

¹³¹ Simcha Weinstein. *Up, Up, and Oy Vey! How Jewish History, Culture, and Values Shaped the Comic Book Superhero*. (Baltimore: Leviathan Press. 2006).

¹³² Wright. *Comic Book Nation*. 9

¹³³ Ibid. 13

template to create their own “superheroes.” The flood of heroes, which included many well-known heroes of today, came onto the scene in the late 1930s and early 1940s: Flash, Captain America, and the Human Torch. Some such heroes were cloned so closely that the companies publishing them ended up in court with National Comics (later DC): most notably Wonderman¹³⁴ and Captain Marvel.¹³⁵ This is also how National Comics came to their other major creation: Batman. He was a costumed hero much like Superman, but the character was much closer to his pulp roots, hence his inclusion in Detective Comics #27.¹³⁶

The legal troubles with the Superman intellectual property began almost from the beginning. There was an agreement that Siegel and Schuster would get \$35 a page and 5% of other revenue generated from Superman, however it seemed that this agreement only lasted as long as DC/National deigned to allow.¹³⁷ The popularity of Superman made the men \$75,000 a year plus the money from the newspaper daily.¹³⁸ Eventually in 1947, knowing that their contract was coming up, Siegel and Schuster learned that they were being lied to about their portion of the profits, and attempted legal action to either receive those monies or get a better deal.¹³⁹ The case lasted for about year and eventually an agreement was reached where National Comics paid the creators \$100,000, which was mostly absorbed by debt incurred and legal fees. The case won them a moral victory but also immediately caused their termination from DC/National.¹⁴⁰

¹³⁴ Ibid. 15.

¹³⁵ Ibid. 19; Much more on Captain Marvel later in this chapter.

¹³⁶ Ibid. 15.

¹³⁷ Ibid. 14

¹³⁸ Gabilliet, Jean-Paul. *Of Comics and Men*. 118.

¹³⁹ Glen Weldon. *Superman: The Unauthorized Biography*. (Hoboken, NJ: Wiley Press. 2013).74. Ricca. *Super Boys* 205.

¹⁴⁰ Ricca *Super Boys* 225 - 226.

When Jerry Siegel was at his lowest point yet, in 1957, his wife, Joanne went behind his back, called DC (or stormed into the office), and managed to get him his job back. He worked for DC for several years until 1965, when history repeated itself; he sued DC for Superman, got fired again, and lost in court (after 10 years).¹⁴¹ Concurrently Joe Schuster was also having a hard time, but he largely disappeared from the Superman legal narrative, except for in two stories. One such story has him with an artist in a park and so down on his luck that that the artist purchases him a sandwich, but he refuses to talk about National Comics. Another has him working for a package delivery company and he ends up delivering a package to National Publications, where the people in the studio recognize him and gather around until the boss tells them to get back to work.¹⁴²

In another story from the 1970s, Jerry Siegel was ailing and destitute. Joanne Siegel called the DC offices, now owned by Warner Communications, and asked the person on the other end how it would play in the press for their company if one of the creators of Superman died of starvation. Checks started to appear mysteriously and rights negotiations were reopened. What they did not know was that Warner was trying to get a big budget Superman film off the ground, which eventually became Christopher Reeve's Superman.¹⁴³ These rights negotiations were opened by Warner Brothers with the idea that these questions about the rights of Superman needed to go away before the movie started filming.¹⁴⁴ The creators eventually settled out of court for a small stipend for themselves and their spouses, as well as "created by" credits. It was

¹⁴¹ Ibid. 241 – 261. Weldon. *Superman*. 120.

¹⁴² Jones. *Men of Tomorrow*. 284.

¹⁴³ Ricca. *Super Boys*. 272-273. Weldon *Superman*. 143.

¹⁴⁴ The story of the legal wrangling of Superman has filled books and the high drama would make for an interesting film all on its own. However, the importance of what the family found was that the only factor that ever really caused DC to do the right thing was the threat of public embarrassment.

nothing compared to what they felt they were owed, but at such a late stage in their lives, they figured that something was better than nothing.¹⁴⁵ Finally in 1999, after an update in copyright laws and several years in court, Jerry Siegel's family was finally awarded half of the copyright to Superman's first appearance in Action Comics #1.¹⁴⁶

Industry Practice

The comic book industry did not lose its pulp fiction roots overnight. It was a slow process. In the book *The Secret History of Marvel Comics*, Blake Bell describes a time in comic book history taken somewhat as a given: the era between pulps and comic books (approximately 1920-1930s). His study focuses on Martin Goodman, the man who would ultimately launch Marvel comics. He describes Goodman as a man obsessed with the bottom line. Many of these stories seem anecdotal but draw a full picture of a publisher whose company did well during the Great Depression because of its promotion as inexpensive entertainment. There is a section where the author muses on the many faces of Goodman: ruthless publisher, a prototypical businessman, or a "monster"?¹⁴⁷ In the text, Bell describes the various shell companies through which Goodman published his pulps and later his comic books. Goodman did this with the idea that each individual company was protected if one company got into trouble, and could pay people out of different tills if the need arose. He did this by having each publication published through its own company, and then having several different names for companies going to the same mailing address.¹⁴⁸ This practice allowed him to avoid an overall higher tax bill.¹⁴⁹ The

¹⁴⁵ Weldon, *Superman*. 163.

¹⁴⁶ Ibid. 273

¹⁴⁷ Bell. *Secret History*. 91

¹⁴⁸ Bell. *Secret History*. 25-31

¹⁴⁹ Jordan Raphael and Tom Spurgeon. *Stan Lee the Rise and Fall of the American Comic Book*. (Chicago: Chicago Review Press. 2003). 15

other thing it allowed him to do was get around paying creators at times; one creator stated that he had 6 different paychecks in one month.¹⁵⁰ Due to this obfuscation, it was not until the 1960s that the culmination of those companies (Marvel Comics) discovered the value in having a brand. Arguably, the reason that Goodman did not discover this value was largely because he didn't care. His business philosophy was more interested in putting out large amounts of product.¹⁵¹ Early Marvel comics had two rules under Goodman. First: imitate, don't innovate, and second: as Goodman himself was actually quoted as saying "low brow, or no brow."¹⁵²

Goodman was a complicated figure in this narrative. He grew up with parents who were always moving around with the idea of staying "one step ahead of landlords." His teen years were spent riding the country by rail, living in hobo camps, and journaling the experience during the Great Depression.¹⁵³ However, Goodman was also aspirational, dressed well and often talked about getting into legitimate publishing; but he never left his cheap magazine roots, often "one unpaid bill away from receivership." He also never left behind his habits of money-juggling and hiding. He was by any means not a champion of creators, instead having been known for screwing them out of their royalties if given an opportunity to do so.¹⁵⁴

In addition to the previously-mentioned anonymizing of artists, as well as dodging payments to them, another practice mentioned in *The Secret History of Marvel Comics* book is a tradition, which does still carry through today, though not as blatantly as in the past: the comic industry's notorious penchant for trend-chasing and trend-cloning. A comic book company would try something, and if it caught on, all of the other companies would copy it; the original

¹⁵⁰ Bell. *Secret History*. 35

¹⁵¹ Ibid. 73, 102

¹⁵² Ibid. 50

¹⁵³ Howe. *Marvel Comics*. 9

¹⁵⁴ Jones. *Men of Tomorrow*. 202

company themselves would just as often copy their own trend several times over. It was cloning the popular Lone Ranger in pulps that made Martin Goodman, the first owner of what would later become Marvel Comics, his early fortunes.¹⁵⁵ Martin Goodman once said, “If you get a title that catches on, then add a few more, you’re in for a nice profit.”¹⁵⁶ Comic books as a business were never a meritocracy. “Call it an opprotunocracy, a fluke-ocracy, a dumb-ass-luck-ocracy. The truest kind of American enterprise.”¹⁵⁷ This idea of not rewarding merit seems to still carry over to current corporate policy.

In his discussion of propaganda, Christopher Murray writes about one example of how comics followed popular trends and accidentally created enduring characters. He stated that during WWII when patriotism was fashionable, Timely Comics (later Marvel) created Captain America (Marvel: 1941) and explained how that character was a near-direct copy of another character, The Shield (Archie: 1940).¹⁵⁸ Captain America co-creator Joe Simon describes a meeting between himself, co-creator Jack Kirby, and Marvel Comics owner Martin Goodman, saying that they received a ‘cease and desist.’ The businessmen worked it out in the meeting so that the characters were not *too* alike.¹⁵⁹ Beyond that, the war was good for comic book creators who could get studio gigs for the army creating propaganda. One story tells that Stan Lee was still sending scripts home while serving and once went AWOL for an evening to deliver scripts to Marvel. When he was caught, he was threatened with court-martial. The owner of Marvel

¹⁵⁵ Sean Howe. *Marvel Comics the Untold Story*. New York: Harper. 2012. 9-10

¹⁵⁶ Bell. *Secret History*. 45.

¹⁵⁷ Jones. *Men of Tomorrow*. 213

¹⁵⁸ Christopher Murray. “Propaganda: The Pleasures and Persuasion in *Captain America*” in *Critical Approaches to Comics: Theories and Methods*. Ed. Matthew J Smith and Randy Duncan. 129-142 (New York: Routledge. 2012).

132

¹⁵⁹ Joe Simon. *Joe Simon: My Life in Comics*. (London: Titan Books. 2011). 99.

responded to the army by threatening to release a press release to the effect of, ‘Captain America writer to be court-martialed.’ Lee was released the next day.¹⁶⁰ This story is one that would be hard to deny if the company still took care of its talent in such a way.

Copying was one thing, but Goodman was by no means above stealing from the competition outright. In the Prologue to *Marvel Comics: The Untold Story*, author Sean Howe recounts a story where the major players were out golfing one afternoon. They were discussing upcoming things they were going to try and Liebowitz, head of DC, says that they are going to put all their most popular characters, Batman, Superman, etc.—into a single book, eventually becoming the Justice League. Goodman then went into the Marvel offices and “mandated” that Marvel did the same and created a team of superheroes. Stan Lee and Jack Kirby, because of this mandate, created the Fantastic Four.¹⁶¹

In addition to copying other companies, Bell suggested that Goodman was not above plagiarizing from other companies as well as from his own books, and noted that he frequently reused his own art. “Why not use twice and pay once?”¹⁶² Marvel and DC are notorious for copying each others’ strategies to this very day. If something works, make more of it until it does not work. The practices from this era of low production quality and little care for talent created the fast-and-loose environment that early comic books were involved in and which caused many of today’s institutional and legal quandaries.¹⁶³ Bell concludes his history of comic books by suggesting that comics from the beginning were much less about the art and much more about maximizing profit and doing so however possible, using “wild west tactics.”¹⁶⁴ At the time, the

¹⁶⁰ Jones. *Men of Tomorrow*. 214.

¹⁶¹ Howe. *Marvel Comics*. 1

¹⁶² Ibid. 17

¹⁶³ Ibid. 31-32

¹⁶⁴ Bell.. *Secret History* 102.

Wild West tactics may have been necessary; comic books as an industry, after all, were still only a few years old.

As comic books exploded in popularity, comic book publishers ballooned almost overnight. Moreover, with this explosion of empty seats in studios, publishers fought over talent; especially *talented* talent.¹⁶⁵ Comic books were in high demand and many of the artists and writers quietly moonlighted across several different houses during the boom times.¹⁶⁶ As one former editor described it, “The work was relentless. Some men worked in bullpens during the day, free-lanced at night—a hard job to quit work at five-thirty, go home and freelance till four in the morning, get up at eight and do the job.” He also states that sometimes, a friend would call for help because on Friday he landed a weekend job that required 64 pages done by Monday morning.¹⁶⁷ At the time many saw comic books as a gold rush; the only thing that limited the output of comic books in the late-1930s and early-1940s was printer schedules and the availability of paper (due to paper rations).¹⁶⁸ However, as with all gold rushes and the boom towns that attended them, a bust was on the horizon.

There are few texts about comics in the 1940s; this period lives in-between two more interesting periods in comics, namely the birth of the superhero (1930s) and the institution of the comics code (1950s). William W. Savage wrote a history of American comics titled *Commies, Cowboys, and Jungle Queens: Comic Books and America 1945 – 1954*. The main difference between this text and many others is the time period it deals with. During the period just before the implementation of the Comics Code (1955), the genres of comic books were in flux, focusing

¹⁶⁵ Jones. *Men of Tomorrow*. 93, 185.

¹⁶⁶ Bell. *Secret History*.

¹⁶⁷ Feiffer. *The Great Comic Heroes*. 31.

¹⁶⁸ Jones. *Men of Tomorrow*. 147, 187.

less on superheroes and more on other genres such as war comics, horror comics, western comics, and romance comics. Although superheroes were less evident, it parallels a major bust in the industry. Comic books reflected the time periods in which they were published, and companies were not keeping up with the tastes of the readers within that era. Savage discusses how the medium was used as a vehicle for explaining to children (and some adults) things about the times they were living in as illustrated by the author's examples of racial representation.¹⁶⁹ He states that children's literature should be playful and semi-anarchistic. The comics of the era are not structured that way; they are structured to reinforce traditional and family values.¹⁷⁰ This was a transitional time for comics that moved comics from establishing themselves as an industry to becoming a mass culture artifact. As a result, comics started to act less like pals publishing from a basement and more like a bona-fide industry. A consequence of this, however, is that many creators became lost or near-lost in the shift. One creator, Mort Meskin, toiled away most of his life in comics, mostly uncredited. He never created anything that stood the test of time on his own and largely worked on the creations of others in the early comic book industry. Meskin was notable in that he created many comic stories about social responsibly.¹⁷¹

At their core, comic books were about escapism. These funny books are what people used to help forget their troubles during the Great Depression and the war years. The stories told within the pages of comics weren't particularly taxing on the reader, nor were they morally heavy. This is the reason they were so popular. Perhaps this was even the reason that comics initially caught on.

¹⁶⁹ William W. Savage Jr. *Commies, Cowboys, and Jungle Queens: Comic Books and America 1945 – 1954* (Hanover and London: Wesleyan UP, 1998). 114

¹⁷⁰ Savage *Commies, Cowboys, and Jungle Queens*. 114-115

¹⁷¹ Stephen Brower. *Mort Meskin: Out of the Shadows*. (Seattle: Fantagraphics. 2012).
Vii-ix

The funnies and pulps continued their popularity for many years side-by-side with comic books. Funny strips in the newspaper continued to be published. Along with the decline of the newspaper publishing business, funny paper strips have gotten smaller and smaller and are republish less and less. Comic strips themselves, it must be noted, have found a new life on internet in the form of webcomics. Pulps, however, did not die a sudden death; they faded out. Many pulp publishers moved their resources over to publishing comic books.¹⁷² The genre stories that pulps covered lived on, perhaps more lucratively, in paperback publishing.¹⁷³

The Comics Code Authority

The industry is subject to many changes of imposition, both internal and external. Many would posit that the biggest sea change in comic books happened in 1954, with the institution of the Comics Code Authority (CCA). The comics code was not a law. Although it looked like one, it was internal industry reform; it was self-censorship undertaken in an attempt to avoid public outrage. The Comics Code dulled comics and had a chilling effect on the mainstream medium of storytelling for decades. There are arguments on both sides as to whether the Comics Code destroyed or saved comics. Although the Comics Code ended only in 2010, it was gutted of any real power many years before; some argue that comic books have still not fully recovered from the legacy of the Code, particularly because it gave people the idea that comic books were solely for children.

¹⁷² Randy Duncan and Matthew J Smith. *Power of Comics: History, Form and Culture*. (New York: Continuum. 2009). 28.

¹⁷³ Ed Hulse. "The Death of Pulps and the Rise of Paperbacks." *In The Art of the Pulps: An Illustrated History*. Ed. Douglas Ellis, Ed Hulse and Robert Weinburg. (San Diego: IDW Press. 2017). 234.

Comic books are an escape medium; however, what constitutes “escape” for one generation is not the same for the next. The comic books of the Great Depression were about super powered men overcoming powerful interests and battling those that would take advantage of the weak. The comics of the war era were pure fantasy, seeking any way to keep from being reminded of the horrors of war; often, this manifested in popular narratives about western and American hegemony. After the war was over the star-spangled heroes did not sell as well, so most of the super heroes moved out of circulation by the early 1950s. A great example of this was the enormously popular character Captain America; by his 75th issue, he was turned into a host for a frame story in his own book which showcased horror fiction, in “*Captain America’s Weird Tales*”; the character eventually disappeared entirely from his own title.¹⁷⁴ Tastes had definitely changed; comics looked to be swerving away from being about funnies and their subject matter moved further and further toward their pulp progenitor. Like the pulps they imitated, comics seemed to sell better when they became increasingly lurid and the stories were about violence and sex.

After a time, the medium became more and more interesting to children and there were concerns about subversion of those children and an association with juvenile delinquency.¹⁷⁵ The sex and violence depicted in comic books caused some concern among parents, especially the content of crime and horror comic books. Crime did indeed appear to be up among young people. J Edgar Hoover cited statistics about this criminal activity. However, there is some question about the validity of the statistics he provided, because some statistics had never been tracked

¹⁷⁴ Howe *Marvel Comics*. 27

¹⁷⁵ Savage. *Commies, Cowboys, and Jungle Queens*.

before and other statistics were based on new laws that had only recently come into existence.¹⁷⁶ Nevertheless, comic books took the blame as being delinquency handbooks.¹⁷⁷ This concern escalated into a full moral panic which culminated on December 10, 1948 when St. Patrick's school in Birmingham, New York, at the urging of the Catholic administration, burned some 2000 comic books.

Throwing fuel on the fire, so to speak, was Fredric Wertham; a well-meaning but perhaps slightly misguided psychologist who conducted an empirical study about comics over several years and published his findings in a book titled *Seduction of the Innocent*. Over the course of his study, he found that the children in his sample read comic books (which nearly every other child of the era did). The results, unsurprisingly, were that he believed the root cause of juvenile crime could be traced back to, among other things, subversion from comic books.¹⁷⁸ The book posited that children learned deviant acts from crime comic books. Parents and librarians opined that these comics were lewd not only because of the sexual content but also because of the violence, which some psychologists believed was being imprinted upon children.¹⁷⁹ In part because of Wertham's book, parents pointed to comic books as one of the factors influencing children to commit crimes or become communists. Abridged versions of his results and his findings were published in several mainstream magazines. This resulted in the public calling on congress to do something.

¹⁷⁶ Hajdu, David. *Ten Cent Plague: The Great Comic Book Scare and How It Changed America*. New York: Picador. 2008. 83-84.

¹⁷⁷ Simon. *My Life in Comics*. 185.

¹⁷⁸ Fredric Wertham. *Seduction of the Innocent*. (New York: Rinehart & Co. 1954)

¹⁷⁹ Nyberg, Amy Kiste. *Seal of Approval: The History of the Comics Code*. (Jackson: Mississippi UP 1998). And Amy Nyberg "William Gaines and the Battle over EC Comics." In *A Comics Studies Reader*. Ed. Jeet Heer and Kent Worcester. (New York: NYU Press.. 2010). 58 – 68,

Looking to save the children from perversion and subversion during the Red Scare, people were afraid of anything that may harm them, which included popular culture. Arguably, one of the most important events in the history of comic books and perhaps the most resonant throughout American culture of the 1950s happened at the Kefauver US Senate Subcommittee hearings to Investigate Juvenile Delinquency. Comic books were a big part of the Kefauver hearings but they weren't the only popular culture being investigated. Hadju discusses the comics code in the greater context of other censorships going on at the time such as those relating to rock n' roll and film.¹⁸⁰

The senate held these hearings as response to Wertham's aforementioned *Seduction of the Innocent*, which was arguably the first book ever written about comics.¹⁸¹ At the time, there was a belief that delinquency was an individual problem. In his book, Wertham attempted to use comic books to make a greater argument that delinquency was a larger social issue. He felt that comic books (and other mass culture) created a conduit that seduced children into harming others.¹⁸² His book was an examination of crime comic books; however, only a few comics would *not* be classified as "crime comics," as everything from superheroes to love story comics could be considered a "crime comic" under his criteria. To understand Wertham, one has to understand that as far as Wertham was concerned, all comic books were crime comic books; "crime comic books that depict crime, whether the setting is urban, Western, science-fiction, jungle, adventure, or the realm of supermen, 'horror' of super-natural beings."¹⁸³ People were

¹⁸⁰ Hajdu. *Ten Cent Plague*. 7, 127.

¹⁸¹ Wertham. *Seduction of the Innocent*. (1954/2009) 53-57

¹⁸² Beaty, Bart. *Fredric Wertham and the Critique of Mass Culture*. (Jackson: Mississippi. 2005). 133.

¹⁸³ Wertham *Seduction of the Innocent*. 20

very kind to Wertham on his findings and few refuted them.¹⁸⁴ *Seduction of the Innocent* was used in the early 1950s as supporting evidence for the Senate hearings, even calling Wertham himself to testify.

Hardly anyone defended comic books at the hearings. Most texts cast William Gaines, the Editor-in-Chief of publisher EC Comics, which was purveyor of many of the horror books, as a sympathetic figure; the only publisher who spoke on behalf of comic books. He was asked at the hearing if his image of beheaded woman was in good taste, to which he replied that that he thought “it was in good taste for a horror comic,” further explaining that his cropping and angle actually did make it good taste.¹⁸⁵ At this point many people, including other publishers, realized that the senators and Gaines were simply speaking two different languages: one of aesthetics versus one of obscenity.¹⁸⁶

Over the course of the hearings, the publishers knew that outright censorship would have no binding authority because of the first amendment. However, they did fear censure and boycotts, which would lead to a decline in sales. Rather than fight a battle that they could win but that might damage them irreparably, the publishers agreed that comics companies could get their act together and stop publishing what was believed to be “lewd material.” Comic companies offered to create a self-regulating body that itself created a set of industry guidelines. The result was the Comics Code Authority (CCA), a self-regulating body for the comic book industry that mirrored similar film codes of the 1950s era.¹⁸⁷ The Comics Code set in place guidelines for the comic books, which effectively *did* censor comics but also assured that they were considered to

¹⁸⁴ Beaty, Bart. *Fredric Wertham*. 148-151

¹⁸⁵ Simon *My Life in Comics* 184-185

¹⁸⁶ Nyberg. *Seal of Approval*.

¹⁸⁷ *ibid*

be “safe for children.” The rules included prohibitions against the word “horror” or “crime” in the title and against having evil prevail.¹⁸⁸ The idea was that a stamp on the cover of the book certified that the content inside had been looked at by a third party for objectionable material. Theoretically, the Code insulated newsstands and advertisers from problems with obscenity rules. After the Code was instituted, many genres that were targeted specifically, such as crime comic books and horror comic books, collapsed under the pressure of the Code. Throughout the history of the Code, it was demonized and labeled as draconian.¹⁸⁹ It was also responsible for the nosediving sales of American comic books after its institution, and it had a chilling effect on the comic book industries of at least 17 other countries.¹⁹⁰ Although these effects were negative, many credit the Code for allowing the industry to galvanize itself; the Code is sometimes credited with forcing the comic book industry to throw off many of its pulp fiction habits and come into its own as a professional industry. The Code was in effect on most comic books until the early 2000s.

When the Code finally fell in 2011,¹⁹¹ some eulogized it by looking back at the Code and arguing that maybe the CCA did indeed lead to the creation of ‘the comic book industry’ as an *industry*.¹⁹² This suggests that if comic books would ever have gotten together to become a lobbying group during the Kefauver hearings, then the CCA would have been the result. And the CCA was, in fact, the closest thing to a trade organization that existed for the comic book

¹⁸⁸ See Appendix A for the full code.

¹⁸⁹ Vaneta Rogers. “The Comics Code – DEFUNCT Since 2009?” *Newsarama.com*. (Pub: Jan 24, 2011.) <http://www.newsarama.com/6897-the-comics-code-authority-defunct-since-2009.html>

¹⁹⁰ McAlester, Matthew P. et al. “Introducing Comics and Ideology” 5

¹⁹¹ Or 2009, since the Code shambled on like an undead zombie still printed on comic books even though its official power had dissolved much earlier.

¹⁹² Rogers, Vaneta. “The Comics Code...”

industry. Those who write about the Code feel offer different opinions about it. Nyberg's book, written before the dissolution of the Code, concludes by asking how comics should be made for grown-ups.¹⁹³ While Hajdu's book, written during the delusion of the Code, concludes by suggesting that much of what we know and like about comic books are things that came about as reactions to the draconian code.¹⁹⁴

To that end, how labor is treated within this industry and how the subject matter itself is judged are directly related to its history of being considered "the stuff of children" or "little better than pornography". These perspectives had and continue to have consequences for the labor force within the industry. This may indeed be considered an indirect consequence of the Code. However, the Code also had more direct consequences including the effective shuttering of EC Comics, the company owned by William Gaines.¹⁹⁵ Joe Simon recalls when the news came down that the comic, which he was working on, was axed by his publisher because they could no longer be carried at the distributor. He states that the book he was working on was not as bad as others, but that everyone was already on edge because of the comic book moral panic.¹⁹⁶ Hajdu's text has a list of about 1000 artists and writers that did not work in comics after the 'purge of the 1950s,' a label for the sales slump after the institution of the Code that canceled many comic books.¹⁹⁷

In the end, within the comic community, one line of argument propped up by fans states that the CCA existed solely as a body of censorship.¹⁹⁸ After the fall of the CCA in the mid-

¹⁹³ Nyberg *Seal of Approval*. 155

¹⁹⁴ Hajdu *Ten Cent Plague*.. 325

¹⁹⁵ Wright, *Comic Book Nation*. 177.

¹⁹⁶ Simon. *My Life* 185-186

¹⁹⁷ Hajdu *Ten Cent Plague*.. 337 - 351

¹⁹⁸ Hajdu, *Ten Cent Plague*..

2000s, others looked back at the Code and argued that maybe the CCA galvanized and created the comic book industry as a true industry.¹⁹⁹ One thing is for certain: during this era, comic books were forced to grow up and the policy fallout from the Code affected them and public perception of comics for decades to come.

¹⁹⁹ Rogers, Vaneta. “The Comics Code...”

Chapter 3: —Rise of the Independents

Independent Comics

The Comics Code, a set of self-imposed rules that governed content of comic books to make them safe for children, had only existed for mere moments before some companies already wished to publish books outside of the Code system. William Gaines, who arguably lost the most when the Code went into effect, was forced to cease the publication of most of his comic book line; he moved his sole publication, *Mad*, to the magazine format to avoid having to abide by the Code.²⁰⁰ the Code was intended to enforce rules for comic books that were widely distributed and on newsstands; that is to say, — to children. However, as the 1950s came to a close, the 1960s brought new ideas about nonconformity to the public along with its benefits and pitfalls. The underground comics movement that began in the mid-1960s was largely a reaction the Comics Code.²⁰¹ As such, these new underground comics were often intentionally controversial.²⁰² This, of course, mirrored the larger anti-authoritarian social movements going on in the 1960s.

During the 1950s and 1960s, the comic book industry was re-acclimating to life under the new rules. Both DC and Marvel decided to dust off their old superhero characters for a trot around the track to see if they would catch on again, and indeed they did. It was at this time that Stan Lee created the (mostly fictional) adventures of the Marvel Bullpen. He would publish stories in his monthly editorials about the exploits of various people around the office including

²⁰⁰ Van Lente, Fred (w), and Ryan Dunlavey (i). *The Comic Book History of Comics*. 90-91.

²⁰¹ Robert Fiore. “Comics for Beginners.” in *The New Comics*. Ed. Gary Groth and Robert Fiore. (New York: Berkley Books. 1991). 5

²⁰² Stephen Weiner. “How the Graphic Novel Shaped Comics” in *The Rise of the American Comics Artist: Creators and Contexts*. (Jackson: Mississippi UP. 2010). 5

the creators themselves, and via these stories he created the illusion that these people all worked together, all day, every day. Gabilliet states that, in creating the Marvel Bullpen, Stan Lee inadvertently created stars out of the creators. The hijinks of the superheroes in any given book were published side-by-side with the hijinks of the real-life heroes who put the actual publication together. The creators would become well-known to audiences and, as a consequence, receive better benefits and contracts once they were well-known. Gabilliet notes, however, that in the 1960s and 1970s when so many were fighting for civil rights and gaining them, working for comics was as regressive a job as someone could have. In fact, creators saw their rights trampled on fairly regularly; this included Jack Kirby and Steve Gerber, both of whom created huge money-makers for the companies that employed them.²⁰³ Events began to seem as if they were repeating what happened to the creators of Superman only a generation earlier.

The comic books of the 1960s are what receive much of the credit for beginning creators' rights movements. Gary Groth states that prior to the independent comics movements of the 1960s, artists who worked in the comics industry were exploited by companies that refused to allow them to retain the rights to their creations. In the 1960s and 1970s, things changed when creators began to publish their own comic books, thus retaining all the rights, and therefore creators receiving royalties for every copy sold.²⁰⁴ These comics were largely sold "underground" at music stores, "head shops," and through mail order—not at the mainstream newsstands or on drug store spinner racks. The odd marriage of "head shops" and underground comic books came as a result of their stock of music and old rock posters. Many of the artists on these old music posters were, as it turned out, some of the earliest adaptors to the underground

²⁰³ Gabilliet. *Of Comics and Men*. 117.

²⁰⁴ Gary Groth. "The Comics Journal and the New Comics" in *The New Comics*. Ed. Gary Groth and Robert Fiore. (New York: Berkley Books. 1988). xi

comics scene.²⁰⁵ Considering the concert and band posters of the 1960s and 1970s were works of art all on their own, it naturally follows that these artists were often people who already knew how to draw intricate scenes and had ready access to printers.

As they were being distributed in places other than newsstands as well as foregoing the traditional distribution and publishing apparatus, these comics existed outside the standard work-for-hire and assembly line system. Not only were these creators able to tell stories outside of the Code, they also had an opportunity to use comix²⁰⁶ to tell stories that were oppositional to the standard hegemonic culture. Yes, they told stories about sex, drugs, and other counter-cultural perspectives, but they also told stories about being a minority in America; they told stories from a feminist perspective; they told stories from the bottom of the ladder, not from the top.²⁰⁷ These were comics about overtly political messages; comics, that were largely more about art than about commercialism.²⁰⁸

While overtly-political fare did find a home in the alternative comics scene, not all publications appeared to be so noble. Other alternatives could be found among the comics sold at these head shops; comics intended to push the boundaries of the boundaries. As comic books rose in popularity, a parallel underground market existed for pornographic comics dubbed “Tijuana Bibles.”²⁰⁹ Beyond simply being pornography or mere “fuck books,” many of these texts existed on the frontlines of free speech; they often contained political commentary, and due to the much more “lewd” content, community obscenity laws outlawed them in many places.²¹⁰

²⁰⁵ Wiatier and Bissette. *Comic Book Rebels*. 37.

²⁰⁶ With and X to differentiate themselves from the mainstream books.

²⁰⁷ McAlester, et al. *Comics and Ideology*. 5 -6

²⁰⁸ Wiatier and Bissette. *Comic Book Rebels*. 37, 66.

²⁰⁹ They were called many things but the name Tijuana Bible is the most common. They were called that because people believed that they were printed in Mexico.

²¹⁰ Ibid 8

These “Tijuana Bibles” also existed as a challenge to parody and copyright limits; many of these texts used real-life political figures, actors, and popular-at-the-time individuals as characters in the stories while also using existing comic and cartoon characters as well.²¹¹ In the introduction to a collection of Tijuana Bibles, Art Speigleman recounts a story wherein, early in Will Eisner’s career, mobsters approached him with an offer to draw Tijuana Bibles at the rate of \$3.00 a-page. Upon later reflection, he realized that turning it down was the most difficult decision he had made in his life due to of the relative lucrateness of the offer compared to what the legitimate companies were offering as a page rate.²¹² Urban legend within the industry states that these mobsters also asked Karl Barks, the creator of many of Disney’s Duck family of characters, to draw some of the Tijuana Bibles.²¹³ It may actually be the case that many mainstream artists actually *did* moonlight on these projects; many of the creators of Tijuana Bibles remain unknown even today.

Concurrent to the comic book industry was the development of another type of alternative literature which pushed the boundaries in a completely different way: Chick Tracts. Chick Tracts were created by a man named Jack Chick who created the palm sized readers as an easy to carry evangelical tool. They are 12-to-16-page minicomics with overall dimensions just a bit smaller than a standard notecard. They contain messages of redemption and damnation. Although some churches encourage their congregants to hand out the tracts for free, a small

²¹¹ examples included in the collection by Bob Adelman, *Tijuana Bibles: Art and Wit in America’s Forbidden Funnies, 1930s-1950s*. New York: Simon & Schuster. 1997. -- were— Mickey Mouse p. 41, Dick Tracy p. 34-35, Betty Boop p. 28-31 Clark Gable p. 102-103, Benny Goodman p. 105, Al Capone p. 114, Joe Stalin p. 126, and even, Hitler p. 129-131

²¹² Adelman, *Tijuana Bibles*. 6-7.

²¹³ Brian Cronin. “Comic Legends: ‘Did Uncle Scrooge’s Karl Barks draw Tijuana Bibles?’” *CBR*. Pub. 9/2017. <http://www.cbr.com/uncle-scrooge-carl-barks-tijuana-bibles/>

secondary market has cropped up for rarer, out of print, and regional tracts.²¹⁴ Although Chick Tracts exist outside of the industry proper, they are closer to a “comic book” in formal quality than other media that actually *are* considered part of the comic book industry, such as digital comic books. Although Chick Publications does not release public publishing numbers, running estimations suggest that, due to the longevity and high volume of print runs for the comics published, Chick Publications may be the largest independent publisher and distributor of comics. Religious content aside, Chick Tracts proved that a small group of creators could self-distribute a comic book on a large scale and do quite well at it.

Until the 1990s, a large percentage of comic books were still sold at newsstands. It is important to note that when a comic book was distributed from a newsstand, it was done on a returnable basis. This meant that any unsold comics remained on the newsstand after a prescribed amount of time could be returned to the publisher for a refund or credit on a future order (with a small fee taken out).²¹⁵ When the direct market was created, it was done on a *nonreturnable* basis. This meant that comics purchased by a comic store or specialty shop were purchased *permanently*. This system was advantageous to publishers because it allowed shop owners to have a vested interest in marketing product, as whatever did not sell was nevertheless product that the owner had to keep in inventory. This system also advantaged retailers because publishers, knowing that the sales would be permanent, could offer greater discounts and therefore more profit for shops.²¹⁶ This sort of system encouraged knowledgeable people to open up retail environments friendly to those who shared their interests and were fans of the

²¹⁴ R.B. Fowler, *The World of Jack Chick*. (San Leandro: Last Gasp inc. 2018).

²¹⁵ This system is why the top of older newsstand comics have a small color band on the top of all the pages. This was so that newsstand distributors could easily identify which books needed to be returned any given week.

²¹⁶ Wright. *Comic Book Nation*. 261.

medium; customers who were different from the casual newsstand-purchaser of comics. Some stores of this nature have a reputation for being uninviting and intimidating, and “therefore unattractive to the general public.”²¹⁷ But as the direct market grew, while this may sometimes not appear to be the case, retailers wanted to be attractive to a wider customer base than just teenage boys.²¹⁸

Groth explains that underground publishing started to wane, “paradoxically,” just as comic book specialty shops started to rise. This was largely because the creation of specialty shops allowed for the creation of specialty distributors; through specialty distributors, these formerly-underground comics could now go “above-ground” and exist outside of the newsstand system.²¹⁹ These shops would deal directly with the distributors without the influence of sub-distributors: as such, the collective of comic stores became known as the “direct market.” With specialty distributors in place, comic book publishers no longer had to adhere to the rules of the Code in order to be distributed, which meant that independent comic books now had no need to hide in the shadows; “underground.”

Along with independent comic books came a new sense of what “ownership of comic books” meant; comics came ever closer to “art,” which ran counter to the mainstream comic publisher’s industrial idea of what comic books were and what they meant to consumers. For the publishers coming out of the underground comix movement, working in the direct market was not always about making money. There still existed an ethos of being able to express oneself uniquely through the medium. As the direct market began to rise, several comic book publishers

²¹⁷ Julia Round. “DC Vertigo and the Revolution of Comics.” in *The Rise of the American Comics Artist: Creators and Contexts*. (Jackson: Mississippi UP. 2010). 19

²¹⁸ Wiater, and Bissette. *Comic Book Rebels*. 24.

²¹⁹ Groth, Gary. *The New Comics*. Xi-xii.

were formed that were interested more in the art side of comics than the business side. One such publisher, Fantagraphics, opens a book about its own history by proudly proclaiming that it is a company that does not consist of businessmen, noting that at times they barely break even. This is because for them it's about the art rather than about profit, and the whole of the company's history is the tale of a publisher fighting for solvency while still publishing works.²²⁰ In fact, for a portion of Fantagraphics' life, the art side of the business was supported primarily through their Eros Comix imprint, which publishes erotic and pornographic comics.²²¹

Once the direct market was in place and there were spaces where comic books could stretch their wings, where they could work beyond the influence of the Comics Code but also not have to exist underground, another comics movement emerged: the "alternative comics" movement. Within this context, comics were able to explore new themes that would never before have been considered "appropriate" for a comics format: for example, Pulitzer Prize winner Art Spiegelman's "Maus," which deals with the Holocaust. Entirely new formats were being created, such as the graphic novel as pioneered by Will Eisner, which allowed creators to operate free from the constraints of traditional comic storytelling's inherently episodic format.²²² Commercial considerations may not allow creators to explore the themes such as gender, sexuality and ethnicity;²²³ the direct market allowed small-press alternative comics to thrive

²²⁰ R. Crumb. "40 Years! Fantagraphics Has Survived 40 Years! It's a Miracle!" in *We Told You So: Comics as Art*. By Tom Spurgeon and Michael Dean. (Seattle: Fantagraphics books. 2016). 7

²²¹ Tom Spurgeon and Michael Dean. *We Told You So: Comics as Art*. (Seattle: Fantagraphics books. 2016)

²²² Charles Hatfield. *Alternative Comics: An Emerging Literature*. (Jackson: Mississippi UP. 2005). x

²²³ Williams and Lyon. "Introduction..." xii

precisely because they had no need to sustain a large distribution apparatus in order to maintain profitability.²²⁴

Fiore states that once independent comic books proved the commercial viability of the direct market, mainstream publishers started to follow them there.²²⁵ Additionally, as a result of the success of the independent comics movement, mainstream publishers were forced to change their policies in order to attract and retain talent; new policies allowed for a more equitable share of characters and royalties.²²⁶ In some ways, the alternative comics movement was the best of both worlds; these comics were sold right next to powerhouse mainstays such as Superman (who was booming at the time), and yet were also able to forgo the restrictions of the Comics Code and the work-for-hire system.

Case Study: Teenage Mutant Ninja Turtles

Many wildly popular comic books sprung forth from the alternative comics scene, including the famous Teenage Mutant Ninja Turtles (TMNT). Teenage Mutant Ninja Turtles was created by Kevin Eastman and Peter Laird and published in 1983 as a parody of other comics that the duo enjoyed at the time. TMNT caught the tail end of a larger craze in children's popular culture, where the created cartoons acted primarily as a commercial intended to be the first step in a long-term plan of making even more profit off of toys and other merchandise. At its height TMNT was juggernaut of merchandising, cartoons, and comic sales. In the mid-1990s, one would be hard-pressed to find a child who did not know of or own something with the Turtles on it. In 1993, 90% of American boys between the ages of 3 and 8 had at least one TMNT toy.²²⁷

²²⁴ Weiner, Stephen. "How the Graphic Novel Changed American Comics." 8

²²⁵ Fiore, Robert. "Comics for Beginners." 2

²²⁶ Ibid 4

²²⁷ Wiater and Bissette. *Comic Book Rebels*. 112

As the need for more and more Turtles material was heeded, Eastman and Laird set up a studio called Mirage Studios. Mirage was set up as a way to maintain creative control over the product being put out, allowing them to maintain the integrity of the intellectual property.²²⁸ The best part of this arrangement was that Eastman and Laird, having created TMNT as an alternative comic, retained all the rights to the characters; the comic book made them multi-millionaires.

A Bill of Rights for Comics Creators

After TMNT started to do well for its creators, a light bulb seemed to come on for several others working in the industry. They realized the value in owning one's own intellectual property and began to understand exactly how badly the publishers had wronged creators in the past, such as the creators of Superman and Captain America, among dozens of others. In the late 1970s and early 1980s, a movement towards creators' rights began in earnest. Workers within the industry paid more and more attention to the benefits they could exercise as freelancers. Scott McCloud, Dave Sim, Eastman and Laird and several others wrote the "Creators Bill of Rights," creating "A Bill of Rights for Comics Creators." The creation of the bill itself took place over several summits for independent creators during the summer and Fall of 1988.²²⁹ The resulting document may seem to consist entirely of self-evident truths, but considering the abuses of the comics industry in years past, the creators felt that each point needed to be specifically enumerated.

A Bill of Rights for Comics Creators:

For the survival and health of comics, we recognize that no single system of commerce and no single type of agreement between creator and publisher can or should be instituted. However, the rights and dignity of creators everywhere are equally vital. Our rights, as we perceive them to be and intend to preserve them, are:

²²⁸ Ibid. xxii

²²⁹ Ryan Cadrette. "From Turtles to Topatoco: A Brief History of Comic Book Production in Pioneer Valley." In *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. (London: Palgrave-MacMillan. 2016). 101.

1. The right to full ownership of what we fully create.
2. The right to full control over the creative execution of that which we fully own.
3. The right of approval over the reproduction and format of our creative property.
4. The right of approval over the methods by which our creative property is distributed.
5. The right to free movement of ourselves and our creative property to and from publishers.
6. The right to employ legal counsel in any and all business transactions.
7. The right to offer a proposal to more than one publisher at a time.
8. The right to prompt payment of a fair and equitable share of profits derived from all of our creative work.
9. The right to full and accurate accounting of any and all income and disbursements relative to our work.
10. The right to prompt and complete return of our artwork in its original condition.
11. The right to full control over the licensing of our creative property.
12. The right to promote and the right of approval over any and all promotion of ourselves and our creative property.²³⁰

Scott McCloud, the author of “A Bill of Rights for Comics Creators” says of his

motivation to write the document:

I think in the long run that's the way creator's rights have been advanced. Especially in recent years when individuals realize they are the creative origin of comics. That comics are not created by editors. They are not created by printing presses. They are not created by color separators. They are not created by publishers, by people in board rooms, by demographic charts. They're created by writers and artists. And the writers and artists control their destiny in every respect except historically.²³¹

“A Bill of Rights for Comics Creators” may not have been a crack in the façade of

corporate comics to the extent that many felt corporate comics needed or deserved. However, many do see it as an educational document. Kevin Eastman, co-creator of TMNT and a signer of the bill, said of it that he signed because he had all of its established rights with the Turtles and feels that creators should have all the decision-making power at their disposal when making commercial choices with comic books.²³² Additionally, Eastman and Laird put into action the principles they espoused. They said, in part, that they had the resources to help up-and-coming

²³⁰ McCloud, Scott. “A Bill of Rights for Comics Creators.” (1990)
<http://scottmccloud.com/4-inventions/bill/rights.html>

²³¹ Wiater and Bissette. *Comic Book Rebels*. 14-15

²³² Ibid. 119

creators; they founded a creator-owned publisher called Tundra Press, the Museum of Words and Pictures, and the Xeric Grant, which helps to cultivate new talent. Unfortunately, these did not prove financially viable and both Tundra as well as the Museum closed after being open a mere 3 years.²³³

In the early 1990s, the recent successes of TMNT and the Batman film caused new viewers to wonder about the comic books that these characters came from. Comics had the direct market, but they were also still somewhat-readily available on spinner racks in supermarkets, drug stores, and in small book shops in malls. As a result, comics had the mainstream outlets for recognizable properties, and specialty shops for more specific tastes. For these reasons and several more, comics in the 1990s went through a boom time. There were comics coming from Marvel and DC that were regularly having half-a-million-print runs. --

Image Comics

Inspired, in part, by the Bill of Rights for Comics Creators, the creators of this era of comics looked at the money Eastman and Laird were making from TMNT, which at one point in the 1990s was a \$2 billion property, and compared it to the money that creators were making for Marvel, or DC, or wherever; they looked at their paychecks and saw the disconnect between the money they *were* making and the potential money they *could* make. This inspired several up-and-coming creators decided to strike out on their own.

Image Comics was founded in a 1992 as a response to “superstar” comic book artists feeling that they were not getting a good enough deal for the sales they brought to the table, relatively speaking. Todd McFarlane, Rob Liefeld, and Jim Lee presented an ultimatum to Marvel that they would get full ownership of any characters they created for the company from

²³³ Cadrette. “From Turtles to Topatoco...” 101-103, 106.

then on [in accordance with The Bill of Rights for Comics Creators]. Of course, Marvel turned them down, and they formed their own company with four other Marvel superstars.²³⁴

Image was founded at exactly the right time: in the early 1990s, comics were seeing a speculator boom led by people looking for the next TMNT and seeking to make a hefty profit. The reasons for the boom were complicated and had a lot to do with the collector market more than anything that the comics themselves were doing. The buyers of these comics rarely opened them and were people who had recently left the speculator market in sports cards. The new buyers were told by *Wizard Magazine* exactly what was going to be hot. When the magazine told them it would be hot, they would buy it up; when they would buy the comic up, it would become scarce; and when it became scarce, it would become hot, thus fulfilling the prophecy. Because of the speculation market, comics were realizing sales they had not seen since before days of the Code.²³⁵ Since the speculator boom was primarily artist-driven, the artists on the books became household names for a flash-in-the-pan moment, one creator even having a jeans commercial (Liefeld) and another making enough money to buy a homerun baseball in the middle of the homerun craze in the late 1990s (McFarlane).

Image Comics as a company baked “creators rights” into its mission statement. “The rules are simple and idealistic: Image does not own a creator’s work; the creator does. [And] No Image partner would ever interfere, creatively or financially, with any other’s work.”²³⁶ However, after the initial founding of Image Comics, many of the studios settled into systems wherein they were also giving work-for-hire contracts to their art and writing teams, and used the

²³⁴ Gabilliet. *Of Comics and Men*. 149.

²³⁵ Gabilliet. *Of Comics and Men*. 149.

²³⁶ Shirrel Rhoades. *A Complete History of American Comic Books*. (New York: Peter Lang. 2008). 133.

same contract as Marvel. This reinforced many of the ideas they claimed to rail against, leading many to see what these studios do as hypocritical.²³⁷

The Kirkman Manifesto

On March 20th 2013, just after leaving Marvel, a creator named Robert Kirkman presented his “Kirkman Manifesto.”²³⁸ In the ten-minute long manifesto he makes several points, among them that he feels creator ownership in comic books is the future of the adult readership. He stated that he felt corporate comic books still have a place: for children. In the video, he talked about how it was always his dream to work in comic books, but that the underside of the industry not treating its creators properly is galling. He states that there is no fixing that part of the industry; they will run how they always run and it is up to individual creators to take their ideas elsewhere, where they can maximize their own careers and profits rather than allowing themselves to continue to be oppressed by Marvel and DC.

The precipitating factor for him to state the manifesto was a partnership he created with television, which he made with AMC for his property “The Walking Dead,” that paid him very lucratively for both a creator credit and executive producer credit. Because the comic book was creator-owned and not published thorough a corporate entity, the only rights money he split was with his co-creators on the comic book. Although, he did make a substantial amount of money off of the television show, he still owned the rights to the source material as well: the comic book. It is said that he still makes more money from the comic book and its republishing than he

²³⁷ Wiater, and Bissette. *Comic Book Rebels*. Xxii.

²³⁸ Robert Kirkman. "Robert Kirkman Manifesto". *YouTube*. Published March 20, 2013. <https://www.youtube.com/watch?v=92qtLorXIAM>.

does from the TV show.²³⁹ A common criticism of the Kirkman Manifesto and what he did is that that it was as unlikely as a lightning strike; this is something he acknowledges. However, he goes on to say, “And it’s like, yeah, yeah, cool, but if you did a tenth of *The Walking Dead*, you’d be making more than I ever thought I could have made in my entire life. Doing a creator-owned comic is like buying a lottery ticket where the odds are somewhat reasonable.”²⁴⁰ In other words, he advocates that there is very little to lose in creator ownership and everything to potentially gain.

Case Study: Howard the Duck

Howard the Duck is an interesting vehicle through which to speak out about the issues surrounding intellectual property because of the character’s own complicated history surrounding those issues. Howard the Duck was created by Steve Gerber in “Adventures into Fear” #19 (1973). He was a satirical character; a Donald Duck analogue that strayed close enough to the “source material” that Disney sent a cease-and-desist order which forced them to change the coloring of the character and way the character dressed, among other things, pulled from a list supplied by Disney. Most surprising was that the actual reason this was done was that the existence of Howard being reprinted overseas hurt Disney’s own reprint rights internationally because, absurdly, the word “duck” translates in many places to “Donald Duck.”²⁴¹ In Howard

²³⁹ Cameron Bonomolo. “‘The Walking Dead’s Robert Kirkman Makes More Money Off the Comics Than the Show.” *Comicbook.com*. Pub: Sept. 28, 2018. <https://comicbook.com/thewalkingdead/2018/09/28/the-walking-dead-creator-robert-kirkman-profits-more-off-comics-than-show/>

²⁴⁰ *ibid*

²⁴¹ Grant, Steve. “How the Duck Got his Pants.” *In Howard the Duck Magazine* #8. (New York: Marvel Comics. Nov. 1980). (Notably, the text piece that explains all of this is absent from the most recent reprinting of the material. As other text pieces are retained, one can assume it has to do with Marvel now being owned by Disney.)

the Duck, Gerber spoke out about many political issues, even using the letters page to talk about creators' rights.²⁴²

After he left the company, Steve Gerber disallowed Marvel from using the character. Marvel responded by declaring the character was “work-for-hire” and they continued to use it despite Gerber’s wishes. Steve Gerber created the character under the impression that his contract for Marvel stipulated that ancillary characters created were not work-for-hire and disputed Marvel’s copyright in 1978. They settled out of court and Marvel retained the copyright.²⁴³ Although he settled the issue, under the surface he was unhappy with the result. In response, in 1982, he created a competing character called Destroyer Duck, which was published by Eclipse Comics with art done by another creator Marvel had angered: Jack Kirby. The comic was used to raise money for the cost of the legal fees incurred over the Howard lawsuit.²⁴⁴ The premise of the comic was that Destroyer was trying to free another duck being held captive by the evil “Godcorp” of “the corporation.”²⁴⁵ The character never caught on like Howard did and only lasted seven issues. A scant few years later, Lucasfilm licensed the character for a feature film in 1986, largely critically derided today,²⁴⁶ the film is famously a flop only making \$10 million on its \$36 million production. Nonetheless, Howard does claim the distinction of being the first Marvel character in a major motion picture.²⁴⁷

²⁴² Jim Korkis. “The History of Howard the Duck: Part Two.” MousePlanet.com . Pub: Apr. 1, 2015.

²⁴³ Van Lente and Dunlavey. *The Comic Book History of Comics*. 166.

²⁴⁴ “Gerber Sues Marvel over Rights to Duck.” *The Comics Journal* #62. (March 1981). 11-13

²⁴⁵ Steve Gerber (w) and Jack Kirby (p). *Destroyer Duck* #1. Eclipse Comics. 1982.

²⁴⁶ Liam Nolan. "Howard The Duck's Lea Thompson Dubs Herself The 'First Marvel Queen'". *CBR*. Pub. June 20 2017. <http://www.cbr.com/howard-the-ducks-lea-thompson-first-marvel-queen/>.

²⁴⁷ Van Lente and Dunlavey. *The Comic Book History of Comics*. 166

The mostly-forgotten character of Howard the Duck was reestablished by a brief post-credits stinger at the end of the first “Guardians of the Galaxy” movie.²⁴⁸ The reappearance of the character at the end of the movie proved nostalgic enough for some, and a curiosity enough for others, that the character spawned a new mini-series and several collected reprintings of previous series. The popularity of the miniseries got Howard another 11-issue series written by Chip Zdarsky. The final issue of the main series, published by Marvel Comics from 2015-2017, contained a storyline which subverted the idea of intellectual property within the industry. In this series some aliens, as stand-ins for the writer and artist, are trying to change the narrative to capture power; one of them does so, but realizes he just a slave like the others. Concurrently, the character of Howard becomes frustrated about simply being a work-for-hire. Under the surface of this plot is the idea of intellectual property, as the slave aliens riot over “creator’s rights” and Howard proclaims, “I am not a character.”²⁴⁹ A Marvel Comic is an interesting place to launch a critique on creator’s rights; and to do so within the pages of *Howard the Duck*, of all places. The problem is that this commodifies the creators’ rights movement a bit.

Another example is 2014’s “The Lego Movie,” a film about an anti-consumerism with an anti-corporate message. The movie is about a man—a Lego man, who enjoys the things which consumer society has conveyed unto him; things like popular music and chain restaurants. The message of the movie on the surface is that you can be happy being your own person and need not conform to preconceived standards. However, the movie at its core was about the enjoyment of a consumerist product aimed at children made into a movie distributed by a major motion

²⁴⁸ *Guardians of the Galaxy*. Directed by James Gunn (Hollywood: Marvel Studios/Disney. 2014).

²⁴⁹ Chip Zdarsky (w) and Joe Quinones (p). “Howard’s End” in *Howard the Duck* #11. (New York: Marvel Comics. Oct. 2016). [Collected in *Howard the Duck vol. 2: Good Night, and Good Duck*. (New York: Marvel Comics. 2016).]

picture company owned by a multinational corporation.²⁵⁰ In this way, the Lego Movie appears to be engaging in culture jam. “Culture jamming” is a concept developed by Kalle Lasn wherein an anti-consumerist message is nested within a consumerist package.²⁵¹ It is worth noting that at a base level, potential consumers paid ticket money or partook in DVD sales, and therefore the studio made their money.

Even with the anti-consumerist message, people bought. Lego has never been more popular than it is now. The movie managed to re-popularize a product that had moved from a child’s toy to an interactive product (video game) and various film spin-offs (direct-to-video sequels). The toy is now a transmedia experience, where in order to get the whole story one needs to consume parts of the story in various media and different franchises.²⁵² Warner Brothers managed to strike the right chord of childhood product and nostalgia; it hit the American/Western audience in just the right place for many people of all ages to enjoy the Lego Movie as a film, and then to relay that enjoyment into purchasing a toy or a video game.

Heath and Potter argue that culture jamming is ineffective because it creates completion for products, which is the point of capitalism. They explain an example of Adbusters Magazine selling shoes while mocking Nike shoes.²⁵³ They also use the example of purchasing a VW as an alternative to purchasing a car from a Detroit automaker.²⁵⁴ In either case, a potential consumer

²⁵⁰ *The Lego Movie*. Directed by Phil Lord and Christopher Miller. (Hollywood: Warner Brothers. 2014)

²⁵¹ Kalle Lasn. *Culture Jam: How to Reverse America’s Suicidal Consumer Binge—and Why We Must*. (New York: Harper Collins. 2000).

²⁵² Henry Jenkins. *Convergence Culture: Where Old and New Media Collide*. (New York: NYU Press. 2006). 20-21.

Derek Johnson. *Media Franchising: Creative License and Collaboration in the Culture Industries*. (New York: NYU Press). 2014. 148

²⁵³ Joseph Heath and Andrew Potter. *Nation of Rebels: Why Counterculture Became Consumer Culture*. (New York: Harper Business. 2004). 1-2

²⁵⁴ Heath and Potter. 3

is engaging in a consumer activity. They are still *buying something*. The view of history as a struggle of movements and counter-movements casts consumer society as a thesis and protests against that same consumer society as the antithesis. The companies have now commoditized the resistance, swallowing even their own antithesis. The Lego Movie and Howard the Duck are troubling because the corporation is so unafraid of resistance that they publish the antithesis themselves.

For some, the idea of companies selling the antithesis—the *resistance*—is less about making a profit but perhaps more about fencing - or fending - off the resistance itself.²⁵⁵ In some ways, they get to write the narrative that frames the arguments of their dissenters, providing audiences with a more palatable version of “the resistance.” Douglas Rushkoff takes this idea further and argues that the counterculture is not the counterculture at all but it is hegemonic culture. The values of the old counterculture are the mainstream values; “Women’s rights, racial justice, and international peace were now simply accepted values.” He believes that this is the reason why counter-movements such as conservatism are attractive to some: because it is an *actual* counterculture.²⁵⁶ The idea that Rushkoff derives from here is that many conservatives consider themselves to be a cultural irritant against the values that have become accepted. The conservatives will often frame themselves against others by referring to nonconservative media as “mainstream media.”

²⁵⁵ Douglas Rushkoff “EP. 90 MOIRA WEIGEL AND BEN TARNOFF ‘HUMANE TECH OR CAPITALISM REBRANDED?’” *Team Human Podcast*. Podcast Audio. Jun. 13, 2018. <https://teamhuman.fm/episodes/ep-90-moira-weigel-and-ben-tarnoff-humane-tech-or-capitalism-rebranded/>

²⁵⁶ Douglas Rushkoff. “We Won: Get Used to It.” *Medium.com* pub: Oct. 3, 2018. <https://medium.com/s/douglas-rushkoff/we-won-get-used-to-it-3753eaf83f42>

For many, the history of the comic book industry is one replete with creators whose rights have been trampled on repeatedly. Companies go to court with creators over intellectual property and win; later this sort of contract would have a name: work-for-hire. For creators prior to the institution of retroactive work-for-hire contracts, this innovation was a death-knell stopping many of their movements toward creators' rights cold in their tracks. Work-for-hire may work in other short-term, situations but it does not fit so well into the work of comic books because of the longevity of these creations to the benefit of publishers. As proof that the legal system may just have a fundamental misunderstanding of comic books, or vice-versa, Joe Simon describes a deposition he was a part of; a court case for the Captain America rights. He describes a back-and-forth where a lawyer asked him about his time as editor-in-chief of Marvel and Simon said he was never the editor-in-chief. In response, the lawyer held up an article saying that he was the only editor at Timely Comics (Marvel) for a time. Simon then said that he was the only editor: but he was never editor-in-chief.²⁵⁷ Although Simon never explains why this exchange was important, the *distinction* is important because of what the responsibilities of those positions were within the hierarchy of the company, especially as they pertain to contracts. Simon eventually partially prevailed, settling out of court for an undisclosed sum and at least *some* character equity.²⁵⁸ One source described the relationship between creator and publisher as like a “family” where the corporation are parents and creatives are children. The publisher rewards jobs done well and reprimands those not done well.²⁵⁹ The relationship never becomes more clearly paternal than that. The power dynamics between creator and editorial is viewed as fluid and generally positive but often ignores the imbalances.

²⁵⁷ Simon. *My Life in Comics*. 94

²⁵⁸ Simon. *My Life in Comics*. 241-243

²⁵⁹ Wiater, and Bissette. *Comic Book Rebels*. Xx-xxi

Comic books have a long history of treating labor unfairly. The independent comic movement has come a long way toward creating fairness for those who engage in creator ownership, as the TMNT and Kirkman have proved. However, as a part of a creator owned process there are financial risks.

Chapter 4 – Across the Multiverse – Captain America and the Divided States: Politics in Comics

Current issues

The intricacies of how the comic book industry operates in the contemporary era have a number of things to do with the pressure put on the industry by many things that have nothing to do with the industry itself. As important as the internals of the industry are, such as payment and royalties, there are pressures external to the industry that affect it as well. In the mid-2010s, both in the comics industry as well as in larger American culture, several interweaving and opposing ideological forces came to a head. Issues from the Culture Wars fueled discussion among laborers and fans. Events such as the election of Donald Trump and questions about the place of creative diversity and published diversity affected perceptions of the industry. These larger cultural issues are expressed within several case studies within the comic book industry, such as the Secret Empire crossover, what happened with Chelsea Cain, and the rise of #comicsgate.

Politics in comics

Politics have been in comics since the beginning and are especially present in superhero comics. The plot of the first issue of Superman features him beating up a corrupt slumlord. Unfortunately, a corrupt slumlord would not be an unfamiliar sight to many readers in the 1930s. Captain America, by his very nature as a star-spangled hero, addresses politics with fair regularity within his pages. The cover of the first issue of his comic from 1942 depicts Captain America punching Adolf Hitler a full year before America had entered World War II, at a time when many Americans had still not committed to becoming involved. Another example, in a famous moment from the 1970s, an alien masquerades as President Nixon and is the leader of a group called the “Secret Empire” (no relation to the crossover comics described later). When

Captain America finds out about this plot, the caption reads, “This man trusted the country of his birth... Like millions of Americans each his own way has had that trust mocked!”²⁶⁰

In describing the ideological infusion of comic books, Matthew McAlester states that positions of liberal and conservative politics²⁶¹ are often present in comics. He goes on to state that there is an open debate about whether comics are perpetuating those in power or challenging them, and readers have an expectation of the comics they read that they are either intended to maintain the status quo or to challenge it.²⁶² Comics are ideologically infused from the start for two reasons: first, the nature of the medium having limited space for words and pictures means that shorthand and stereotypes can be used; second, the mass-mediated position that comics have means that they hold a social significance that exposes many readers to the ideas contained therein.²⁶³ This ideological infusion can speak to adult fans of comic books and allow creators a forum through to speak their minds. Although the focus of this essay is not fandom, there is an intertwine with creators rights in the age of the internet that is unavoidable and in need of examination. Creators from many ideological positions have been attacked for their beliefs, both liberal and conservative alike.

Many of the issues regarding creators can be traced back to this idea of “toxic fandom,” wherein fans become so invested in the creations that they start to destroy the creation they claim to enjoy.²⁶⁴ Fans of comics have been around since the beginning; evidence of an encouragement of fan culture for comic books exists on the letters pages in comics where people would write in

²⁶⁰ Wright. *Comic Book Nation* 244.

²⁶¹ (with capital P)

²⁶² McAlester, et al. *Comics and Ideology*. 2.

²⁶³ McAlester, et al. *Comics and Ideology*. 4 – 6

²⁶⁴ Peter Coffin. “How Toxic Fandom Ruins It For Everyone” Medium.com. Nov. 20, 2015. <https://medium.com/cultivated-identity/how-the-toxic-parts-of-fandom-ruin-it-for-everyone-else-d51b9d0bf0aa>

and speculate about future storylines or gush about art or characters. Fans started to coalesce around each other in the 1970s in fanzines and conventions. The internet allowed these fans to communicate more easily using websites and message boards, with these often replacing the old fanzines entirely.

A shift has been taking place over the last few years as the definition of “comic book fan” has started to become muddled. Take a moment to consider the phrase: “I’m a comic book fan. “Somewhere along the way, referring to yourself as a “comic book fan” stopped meaning a singular thing.²⁶⁵ I speculate that it might have been in the 1970s with the proliferation of underground comix (with an x). This bifurcation of the fandom became more pronounced in the 1980s, with a distinction forming between a newsstand reader, a direct market consumer, and those who purchased mass bookstore graphic novels. Today, identifying as a comic fan can express a variety of things; people who enjoy actual periodicals (physical or digital), graphic novel consumers, or even those who have held neither and those who are fans primarily of the popular media surrounding these intellectual properties: the television shows, the cartoons, the films. The invasion of ‘mass culture’ into the comic book medium has fundamentally changed the industry.

As noted previously, Dick Hebdige defined subculture as a constantly-shifting boundary related to having a meaningful group experience outside of hegemonic culture and those people would attempt to secure a space where they can feel like themselves.²⁶⁶ In other words, a group that has its own way of dressing, speaking, etc. that would seem like nonsense to those outside of that group. Interestingly, this creates a tension with comic books, which are marketed as a mass

²⁶⁵ If it ever did... It was certainly meaningful to those outside the subculture

²⁶⁶ Dick Hebdige. *Subculture: The Meaning of Style*. (London: Routledge. 1979).

consumable that is practically a subculture. The American comic book market for the last 40-to-50 years has existed largely as that subculture. Many individual comic “tribes” exist as subcultures splitting within the larger subculture: “the Wednesday warrior,” “the collector,” “the Marvel Zombie,” or “the indie-reading hipster.” Another recent fracturing of this audience comes in the form of the “digital only” crowd. Arguably, with few expansions, comic book readers as an audience appear to be getting increasingly smaller every year; however, much of that appearance is actually bifurcation into smaller and smaller tribes. The same number of people are interested in comics, they are just diffusing among the different products and diffusing across the different media to engage in different ways.

In addition, a tension for fans is those who claim to want change or who want a finished product. Throughout the history of the industry there has been a fly-by-the-seat-of-their-pants style of periodical creation: the monthly/biweekly/weekly publishing schedules, or the habit of remaining “constantly in Act 2”, all while having a simultaneous greater emphasis on creating ongoing value via intellectual properties that have a possibly of later exploitation.

To this end, comic book fandom is a bellwether for larger cultural issues. Consider that as comic fandom becomes more and more divergent, so too does the usefulness of the subcultural category that went with it. This can refer to any number of things; there are people who do not constitute a subculture simply because they don’t speak the same language or recognize each other’s dress. Ultimately, the lesson learned by mass culture from the comic book culture is that as mass culture diverges from itself, we will speak different languages and things such as partisan divides become more prominent. If we do not have the same reference points, then we are of different cultures.

Another important external event that occurred over the course of this study was the election of Donald Trump. Much of the concern surrounding his election was the makeup of his electorate. Several times, news outlets noted he was quick to comment on certain issues but remained silent when white supremacists and neo-Nazi types came out to support his bid for president.²⁶⁷ To many, this made it seem as if he was embracing fascistic/Nazi ideology. To take it one step further, when he was elected, many viewed his election as the American people turning to embrace that ideology as well, meaning that people who formerly did not voice their nonsense opinions now had a perceived platform from which to advocate for hate. The irrationality comes in when these groups continue to harass and harm minorities while vocally maintaining that they, themselves, are the oppressed. Fans who may have kept their opinions to themselves feel emboldened by their outspoken leader creating an environment where hate continues to be stoked along political and subcultural spectrums.

Combine this toxic fan environment with a creative base that is accessible and often willing to engage fans, because they are fans themselves, and it is a recipe for disaster. Particularly outspoken fans, who feel that diversity harms their perception of characters to which they clearly have emotional attachment, have taken it upon themselves to threaten and harass creators and other fans. The situation in fandom became dire enough that comic book patriarch Stan Lee decided that all of this hate and bigotry was cause enough for him to revive a version of his article, "Stan's Soapbox," 30 years dormant, specifically to condemn such hate.²⁶⁸

²⁶⁷ Noah Weiland. "Before 'Unite The Right' Rally, Trump Does Not Condemn Supremacists". 2019. *Nytimes.Com*. Published Aug. 11 2018. <https://www.nytimes.com/2018/08/11/us/politics/unite-the-right-2018-dc-rally.html>.

²⁶⁸ Julia Alexander. "Stan Lee Resurfaces 1968 'Stan's Soapbox' Column To Condemn Bigotry". *Polygon*. Pub: Aug. 15, 2017. <https://www.polygon.com/2017/8/15/16152058/stan-lee-charlottesville-marvel>.

The “Diversity Mandate”

A year prior to the film *Black Panther*’s debut in theaters, in 2017, David E. Low published a study noting that among the students surveyed, many had never seen a black superhero.²⁶⁹ This is a disheartening trend in an era when so many black superheroes are more and more visible. The absence of these heroes to these students may have to do with accessibility of material, representation happening in cable TV or other venues. Some comic book companies saw this opening as an opportunity; diversity and minority representation was Marvel’s ticket through much of the middle 2010s. They published several comics with minority female and nonwhite leads, sometimes supplanting long-standing characters from the titles. This got the company quite a lot of attention, including awards and buzz from the internet and mainstream news. However, there is mixed opinion as to whether or not it generated them more sales. Diversity may be important for other reasons, but at the end of the day selling comic books is still a business, beholden to corporations, who are in-turn beholden to shareholders. Diversity of the characters in the books also led to new writers and artists within the industry who represented that same diversity.

All of the new emphasis on diversity at Marvel started with a simple statement from technology site i9.com in 2010, “The last thing Spider-Man should be is another white guy.” The article was about a new Spider-Man. Two days later, actor Donald Glover, also known as rapper Childish Gambino, tweeted out the story while saying he wanted the opportunity to try out for the role. The tweet ended up trending as a topic #donald4spiderman for the weekend

²⁶⁹ David Low. “Students Contesting “‘Color Muteness’ through Critical Inquiries into Comics” *English Journal* 106.4 (2017): 19–28

following. The role was eventually given to Andrew Garfield and the movie became 2012's *Amazing Spider-Man*. However, all this talk did get conversation rolling about the character, and whether or not it mattered what race the character was underneath the mask. This discussion, and a shot of Glover in Spider-Man pajamas from the television show *Community*, inspired a writer of one of the spin-off alternate universe Spider-Man comic books, which Marvel was publishing at the time as *Ultimate Spider-Man*. He decided to create the character of Miles Morales. The character was created as half-black, half-Latino, intended to be representative of who would be a super-hero in the 21st century. In the *Ultimate Spider-Man* title, the new character could go back to what the previous Spider-Man had grown out of: being a relatable high school kid.²⁷⁰

The experiment with this character proved popular enough and got Marvel enough mainstream attention that they replicated the experiment several more times. The next character they tried the experiment with was Ms. Marvel, created by Adrian Alphona and G. Willow Wilson in 2014. The original character named Ms. Marvel was Carol Danvers; she had recently been promoted to the name of Captain Marvel in an effort to raise her profile.²⁷¹ The new Ms. Marvel was a young Muslim girl who gains powers and is a fan of Carol Danvers. With Danvers's blessing, Kamala Khan became the new Ms. Marvel. The new Ms. Marvel comics were written with a teen audience in mind; her book contains all the elements of super heroics,

²⁷⁰ Ora C. McWilliams, "Who Is Afraid of a Black Spider(-Man)?" In "Appropriating, Interpreting, and Transforming Comic Books," edited by Matthew J. Costello, special issue, *Transformative Works and Cultures*, no. 13. 2013. doi:10.3983/twc.2013.0455.

²⁷¹ She was named after the character from the 1960s who had died in the 1980s from whom she had gotten her powers, turning her into the former Ms. Marvel. Before changing her name to Captain Marvel, they had tried several other characters with the name "Captain Marvel" including an African American woman in the 1980s and the cloned son of the original 1960s character.

responsibility, and romance that make good fodder for ongoing fiction. Some even suggested that it had captured much of the magic of 1960s Spider-Man.²⁷²

Between then and as of this writing, a stretch of about 5 years, Ms.Marvel has had an ongoing comic series that sells low-to-mediocre in comic shops but reportedly sells very well in other venues such as book stores, via digital sales, and at Scholastic book fairs.²⁷³ The character was important to Marvel because she is popular with demographics not typically associated with comic book reading. So important is this character that there is even speculation that Ms. Marvel may be in the next batch of feature films made by Marvel/Disney. In 2018, Coco Khan wrote an opinion piece for *The Guardian* where she said that she was happy to hear the news of Ms. Marvel making the jump to a film because now Muslim actors may have other parts to play in future movies other than “wife of terrorist #3.” She said that for far too long, the portrayal of Muslims in popular culture has been one of suspicion and threat; wholly misunderstood.²⁷⁴

With regards to Muslim representation, Safiyya Hosein, a researcher, writer, and comic book reader, analyzed several Muslim characters and found that most of the women needed saving from oppression and that the men were depicted as violent and uncivilized. The notable exception was Ms. Marvel who had been created and written by Muslim creators. Those creators were sensitive to these issues; they show the character in a realistic and sensitive way with fewer

²⁷² G. Willow Wilson. *Ms. Marvel Vol.1: No Normal*. (New York:Marvel Comics. 2014). Chase Magnett. “Why Ms. Marvel is the Most Important Marvel Creation of the 21st Century.” Comicbook.com. Aug. 3, 2018.

²⁷³ Johnston, Rich. “So... Why is Marvel Not Canceling Their Lowest-Selling Comics?” *BleedingCool.com*. Jan. 16, 2018.

²⁷⁴ Coco Khan. "All Hail Ms Marvel, A Young, Female Muslim Superhero For Our Times | Coco Khan". *The Guardian*. May 17, 2019. <https://www.theguardian.com/commentisfree/2018/may/17/ms-marvel-female-muslim-superhero-kamala-khan>.

stereotypes.²⁷⁵ G. Willow Wilson says of the comic that it works because, although she writes it from a Muslim perspective, young Mormons, Jews, and others feel these same anxieties.²⁷⁶ Her anxieties about not fitting in, disappointing her parents, and finding love are the anxieties of everyone the age of the character, and so she is relatable in that way as well.

If Miles Morales was the first, then by all accounts Ms. Marvel, Marvel's second try at creating a diverse character, worked just as well. Just like Marvel's old owner, Martin Goodman, would say in the 1940s: if something sells well, do it several more times and you're in for a tidy profit. As these changes worked to gain sales and put attention on characters, Marvel took that success as a green light; between 2013 and 2018, Marvel would change the racial or gender makeup of most of their core line.²⁷⁷ They replaced Thor with a female version. Captain America was traded out for his longtime African-American sidekick, Falcon (more on this change later). In *Invincible Iron Man*, Tony Stark was replaced for several months by a character named Riri Williams, an African-American teenage woman, who retained the title Iron "Man." Perhaps not coincidentally, these were also the characters that people would be seeing in movies by Marvel as well: the character names were the same, but the people in the costumes were not. By 2016, many of their main characters had either been replaced or had a parallel option of a different race or gender. Even more minor characters like Nova, Vision and Hawkeye and long-fallow

²⁷⁵ Jacob Dube. "The Comics Writer Who Wants More Authentic Female Muslim Superheroes." *Vice.com*. pub: Dec 29, 2017. https://motherboard.vice.com/en_us/article/d34ygw/the-comics-writer-who-wants-more-authentic-female-muslim-superheroes

²⁷⁶ G. Willow Wilson. "So About That Whole Thing." *Gwillowwilson.com*. Blog Post. Apr. 1, 2017. <http://gwillowwilson.com/post/159094504658/so-about-that-whole-thing>

²⁷⁷ It cannot be understated the value of the intellectual property created by these new versions of the characters as well.

properties like Ms. America now had alternative versions. Many of these characters injected fresh blood into the line and this idea to gain sales and attention worked, at least at first.

“Too Much” Diversity?

Many of these new characters followed a particular sales trend. People would immediately be interested, proved by the ensuing high sales of first and second issues, then the sales would immediately go down and settle into a median or low range. The problem was that Marvel had replaced many of their best sellers with the new titles, meaning that they were replacing their top-tier books with books that sell significantly fewer copies, at least in the direct market. The characters were winning awards and getting a lot of internet buzz, but this attention simply did not translate into sales. This lack of sales created frustration among the comic book retail community. CBR reported that, “Prior to [2015], these 24 series sold an average of 38,521 single issues through the direct market. But the highest average sales of the most recent issue [in 2017] of these same 24 series was only 22,972 issues—a 40-percent drop, significantly higher than the expected attrition of about 25% over 18 months.”²⁷⁸ Many blamed the diversity-characters for this fall. However, an article for *The Atlantic*, points out that diversity might not be the problem so much as Marvel’s own business practice of courting to the speculator market with creating artificial new #1s and variant covers. The article cites Ms. Marvel itself as the example, which debuted at 50,000 copies and settled into a steady 32,000 copy per issue. After re-launching the title, the new issue #1 spiked at 79,000 copies before settling back in at 20,000

²⁷⁸ Hoffman, C.P. “No, Diversity Didn’t Kill Marvel’s Comic Sales.” *CBR.com*. Pub: Apr. 3, 2017. <https://www.cbr.com/no-diversity-didnt-kill-marvels-comic-sales/>

copies.²⁷⁹ The re-launch allowed a hop-off point for readers and the book lost a third of the previous readership.

On March 30, 2017, Marvel held a retailer meeting in an attempt to address the concerns of the industry. This meeting backfired spectacularly: reports were that people were upset and angry. But the biggest bombshell was what many news sites quoted the VP of sales David Gabriel as saying:

What we heard was that people didn't want any more diversity. They didn't want female characters out there. That's what we heard, whether we believe that or not. I don't know that that's really true, but that's what we saw in sales. We saw the sales of any character that was diverse, any character that was new, our female characters, anything that was not a core Marvel character, people were turning their nose up against. That was difficult for us because we had a lot of fresh, new, exciting ideas that we were trying to get out and nothing new really worked.²⁸⁰

The people who were excited about the diversity trend felt this was a betrayal. Marvel attempted to clarify and walk back these comments over the next couple of days by saying that a few of the characters do well and that Marvel intended to stand by their new characters.

Marvel Comics is the industry leader; as a result, when Marvel Comics is not healthy, the industry is not healthy. One shop in particular noted that stores in the direct market were having a hard time moving the “diversity product.”

...very few people are willing to go on record about: that DC and Marvel aren't good at pitching comics to an audience outside the “Wednesday Warrior” crowd and some of the titles they've been launching really aren't intended for the traditional Wednesday crowd, despite the fact the titles are promoted as though they were. Examples being Ms. Marvel, Squirrel Girl and the Young Animal line. There *is* an audience for the books, but the

²⁷⁹ Asher Elbein. “The Real Reasons for Marvel Comics’ Woes.” *The Atlantic*. Pub: May 24, 2017. <https://www.theatlantic.com/entertainment/archive/2017/05/the-real-reasons-for-marvel-comics-woes/527127/>

²⁸⁰ Beth Elderkin. “Marvel VP of Sales Blames Women and Diversity for Sales Slump.” *IO9.gizmodo.com* Apr. 1, 2017. <https://io9.gizmodo.com/marvel-vp-blames-women-and-diversity-for-sales-slump-1793921500>

publishers aren't necessarily good at getting that audience aware of the material and guiding them to the Direct Market.²⁸¹

“Wednesday Warriors,” refers to the die-hard collectors who show up at the direct market stores on Wednesday, the day the books are shipped to stores. As a note, this is a bit of a mixed message about the sales of diversity characters, because in the book store market “diversity books” sell the best; in fact, they constitute 17 out of the top 20 graphic novels sold in that market.²⁸²

In May of 2017, Asher Elbein writes in *The Atlantic* that many of Marvel’s problems had nothing to do the diversity titles. Instead, the writer suggests that many of Marvel’s problems are decades old and will continue to be problems well into the future; things such as the arbitrary relaunching of titles, the overabundance of variant covers, and the price of individual comics. The author also points to resale speculation as being an industry problem. The direct market purchases collectables on a nonreturnable basis, 3 months before the in-store date. There is a certain amount of speculation that, necessarily, needs to go into guessing what potential customers are going to want to read in three months’ time.

In the previous example of Ms. Marvel, the title had been a medium-to-hot seller for the company. However, a relaunch of the book allowed people to stop reading the title, thus cutting their sales in half.²⁸³ As a result of the character gaining attention from the outside for not being the “average comic book superhero,” there is a certain amount of readership that was attracted to

²⁸¹ Todd Allen. “When a Comic Shop Has To Do a Podcast About Marvel Sales Declining.” *The Beat* (blog). pub: Jan 8, 2018. <http://www.comicsbeat.com/when-a-comic-shop-has-to-do-a-podcast-about-marvel-sales-declining/>

²⁸² Heidi MacDonald. “The Top 20 Graphic Novels of 2017 Prove Diversity in Comics is Alive and Well and Selling a Lot.” *The Beat* (blog). Pub: Feb 5, 2018. <http://www.comicsbeat.com/the-top-20-graphic-novels-of-2017-prove-diversity-in-comics-is-alive-and-well-and-selling-a-lot/>

²⁸³ Elbein, “The Real Reasons for Marvel Comics’ Woes.”

the comic store who were not previous buyers of comic books. As such, they were not familiar with the practices of the comic book industry. I speculate that the casual comics customer who read Ms. Marvel had some confusion about why a book that was numbered one thing (#19) was now at number one (#1) again. The last couple issues of the series had a “Last Days” banner across the top, in an effort to suck these readers into a larger line-wide *Secret Wars* crossover; again, another practice with which a casual comics-reading customer might not be familiar. Marvel’s own marketing of the *Secret Wars* event played coy as to whether or not any Marvel titles were coming back; of course, they *were*, but the casual reader might not know that. The title “Last Days” emblazoned across the top might not help matters, leading those readers to believe, not-unreasonably, that the story had ended. Additionally, there was a three-month gap between the previous volume and the new one, where Marvel continued doing the line-wide crossover that canceled all their regular titles for those three months. When you are accustomed to getting a book on a monthly basis, three months is a long time. Many of the customers may have just given up on ever seeing their book on shelves again. Other sites also blamed the overabundance of crossovers and talent mismanagement for Marvel’s sales slump.²⁸⁴ Yet others say it was “a desire for more escapist stories at a time when Marvel was prepping for an event about fascism, steep competition from DC’s Rebirth relaunch, poor marketing outside of the direct market...”²⁸⁵

November 7, 2017. The sales at Marvel were abysmal. A change needed to be made. Brian Michael Bendis, the head writer at Marvel and once referred to as an “architect” of the company, ended up leaving the company in November, after more than a decade. Bendis created

²⁸⁴ Elderkin “Marvel VP of Sales Blames Women and Diversity for Sales Slump.”

²⁸⁵ Hoffman. “No, Diversity Didn’t Kill Marvel’s Comic Sales.”

several characters and intellectual properties that Disney and their partners later transferred into other media such as Jessica Jones, Maria Hill, and Ultimate Spider-Man/Miles Morales. He decided to go to DC and claimed that there was no ill-will; he just needed a change.²⁸⁶ Ten days later, on November 17, 2017, Axel Alonso, the Editor-in-Chief who spearheaded many of these initiatives also left the company. The new EiC, CB Cebulski, seemed to be hired with the idea of focusing on international sales.²⁸⁷ However, he was not without his own controversy; during the manga craze he had imitated a Japanese man, Akira Yoshida, to sell more scripts.²⁸⁸ Some saw this as an end to the “diversity era” at Marvel.

Longtime comic shop retailer Brian Hibbs wrote an open letter to the new EiC asking for several things on behalf of the industry. He opens the article by saying that he knows that Marvel is trying, but that they can do better and things are dire. He points out that there was a wave of comic store failures, in part because of the dip in Marvel comics. He points out that fewer outlets for product means less sales in the long term. He points to practices such as variant covers, pricing, and increased frequency of release as being real problems. One of his suggestions was to cancel anything selling below a certain threshold because “all it was doing was damaging the

²⁸⁶ As a side note, soon after Brian Bendis announced that he was leaving Marvel for DC, he contracted a deadly form of MRSA in his eye. Marvel continued to support him and honor their health insurance policy, ‘as if he’d never left.’

²⁸⁷ Nicholas Raymond. “Marvel Entertainment Editor-in-Chief Axel Alonso is Stepping Down” *ScreenRant.com*. pub. Nov 17, 2017 <https://screenrant.com/marvel-comics-editor-axel-alonso-cebulski/>

²⁸⁸ Shannon Liao. “Marvel’s editor-in-chief apologizes for pretending to be a Japanese man.” *TheVerge.com*. Pub. Dec. 18, 2018. <https://www.theverge.com/2017/12/18/16792070/marvel-editor-in-chief-akira-yoshida-cebulski-cultural-appropriation>

brand.”²⁸⁹ Shortly after this letter and about a week after the management shuffle, the new comic solicitations showed up and Marvel canceled several titles, including many of the “diversity” titles.

Heidi MacDonald described the mess at Marvel as, “As we reach the end of 2017 we find that Marvel is equally despised by progressive comics fans—who think Marvel is actively anti-diversity—and internet trolls who think any character who isn’t a white man is a ‘SJW tool.’”²⁹⁰ Marvel has found itself, in part, stuck in a paradox that Zygmunt Bauman points out about larger Western Culture, “...Western Culture has been justly rebuked for being racist, sexist, and imperialist; but it is also a culture which is very worried about being racist, sexist, and imperialist...”²⁹¹ Toward the end of 2017, maybe Marvel’s problems were not just Marvel’s. The *New Yorker* ran an article examining Marvel’s sales slump among other things, speculating that 2017 may have been the year of “Diversity Fatigue.” In part they stated,

For many, the rise of Donald Trump was a manifestation of this long-brewing and ideologically varied skepticism toward diversity. On the right, it was a backlash against things changing too fast and too much. And, for some on the left, the success of Trump-style populism suggested that liberals had focused too much of their energy on multiculturalism and identity.²⁹²

In an effort to quiet things down, former-EiC, now Chief Creative Officer Joe Quesada replied to concerns on Twitter, saying in part, “If a comic finds an audience it will stick around

²⁸⁹ Brian Hibbs and Heidi MacDonald. “Tilting At Windmills #266: An Open Letter To C.B. Cebulski & Marvel Comics”. *The Beat*. Published Dec. 20, 2017. <http://www.comicsbeat.com/tilting-at-windmills-266-an-open-letter-to-c-b-cebulski-marvel-comics/>.

²⁹⁰ Heidi MacDonald. “Frequently Asked Quesada: Joe Q. Takes To Twitter To Quiet The Waters”. *The Beat*. published Dec. 22 2017. <http://www.comicsbeat.com/frequently-asked-quesada-joe-q-takes-to-twitter-to-quiet-the-waters/>.

²⁹¹ Bauman. *Postmodernity and its Discontents*. 118

²⁹² Hua Hsu. “2017 in Review: The Year in ‘Diversity Fatigue.’” *The New Yorker*. Pub. Dec. 21, 2017. <https://www.newyorker.com/culture/2017-in-review/the-year-in-diversity-fatigue>

regardless of the lead character or creator's gender, ethnicity, sexual preference or identification. You can claim we're tone deaf but we PUBLISHED those books but you guys ultimately decide what survives"²⁹³ Some read this to say that Quesada admitted to diversity not only being a sales failure but also saying that it drove a wedge between readers and creators.

They may point fingers at each other, but one thing was certain: there was a crisis in the comic book industry. By February 2018, ComicsBeat had published an article that featured several retailers stating that after Marvel had deemphasized diversity, fewer people were coming into stores.²⁹⁴ However, an article from ScreenRant.com looked through the sales figures for 2017 and found that readers were buying titles with diverse characters—from other companies such as Image Comics; titles such as *Saga*, *Papergirls*, and *Monstress*.²⁹⁵ Consequently, it can be inferred that “diversity” may not be the problem, but rather Marvel's particular brand of it. The article goes on to suggest that sales problems at Marvel might be related more to a medium mismatch. Ask the question: how are readers accessing comic books? Is it in the single issue, or the collected trade paperback, or even digitally? It stands to reason that new readers might view these new properties through new mediums and view the older properties published in the old medium as antiquated.

Women in the Industry

Women have been in the comic book industry since the beginning. The creative side has been more of a “boys club,” while women maintained editorial and administrative positions.

²⁹³ MacDonald. “Frequently Asked Quesada: Joe Q. Takes To Twitter To Quiet The Waters” [emphasis in original]

²⁹⁴ Heidi MacDonald. “Comics retailers’ shocking claim: Diversity isn’t killing comics sales” *ComicsBeat.com*. Pub: Feb. 15, 2018. <http://www.comicsbeat.com/comics-retailers-shocking-claim-diversity-isnt-killing-comics-sales/>

²⁹⁵ Rosie Moore. “Comic Sales Figures Prove to Marvel: Diversity Isn’t the Problem.” *ScreenRant.com*. Jan. 27, 2018. <https://screenrant.com/marvel-diversity-comic-sales-single-issue/>

Only a few women have broken this trend in the century that comics have been around. During the 1960s and early 1970s only two women artists worked on superhero comic books.²⁹⁶ One creator, Marjorie Henderson Buell, better-known by the pen name “Marge,” is the creator of the character Little Lulu. She is noteworthy because she never relinquished rights to her creations.²⁹⁷ Women had a difficult time as creators when seeking to write anything other than cute animal stories or romance stories; few women could push those typecast boundaries. Not because they did not make an effort to be hired for other jobs, but because of prejudice.²⁹⁸ There is little reason for this prejudice in practice: for example one female artist during the 1950s, Marie Severin, could draw horror, blood, and guts right alongside the best artists of the time. Several female creators helped move the underground comix movement along with titles such as, *Tits and Clits*, *Abortion Eve*, and *Wimmen’s Comix*.²⁹⁹ Another prominent creator, Louise Simonson, literally worked her way up from the mailroom. She managed to land editorial jobs, but then eventually went on to create important storylines such as “The Death of Superman.”

Representation of women within comics, even today, is often limited to romance-driven roles or in roles that are portrayed as secondary to the roles of men. One female creator, Gail Simone, looked at the representation of women in comics and started the “women in refrigerators” (WIR) movement in 1999. The WIR movement was started when the love interest of Green Lantern was unceremoniously written out of the comic when a villain murdered her and stuffed her into a refrigerator for the hero to find. She noted that the woman’s only purpose in that book was to forward the male hero’s story, in this case as a way to raise the stakes. Simone

²⁹⁶ CBLDF. *She Changed Comics*. (Burbank:Image Comics. 2018). 25.

²⁹⁷ Ibid. 4

²⁹⁸ Ibid. 10

²⁹⁹ Ibid. 31 - 36

went on to become synonymous with DC's Batgirl title, still fighting for female representation.³⁰⁰

Some feel that Fiona Staples represents the positivity that can come from diversity in the comics industry. She said in 2014, "It's definitely changing, although not as quickly as we'd like. All of the corners of the comics world except mainstream superhero books have pretty much agreed that that diversity is a positive thing. I think the important thing to do now is create women-friendly books, and that will lead to more female creators in the next generation."³⁰¹

As discussed earlier, in an effort to create those female-friendly books, one of Marvel's success stories of the last half-decade has been Ms. Marvel. Her creator, G. Willow Wilson, made her a Muslim teenager who has to deal with teenager problems, female problems, and superhero problems. The comic book is thick with comedy and drama. Wilson credits her early editors for standing up for her. She says that when she was just starting out, "having a Muslim writer floating around the office was not great optics for a publisher... every time I announced a new project; there would be a certain amount of blowback from right-wing bloggers accusing me of being a part of the Islamist socialist homosexual jihad on American values or whatever." Further, she says, "I was frankly afraid I was going to lose my job if the Islamophobes got loud enough and angry enough." This is a real fear for some within the industry. When speaking of the representation within comic books, she said "Let's scrap the word 'diversity' entirely and replace it with 'authenticity and realism'... this is not a new world. This *is* the world."³⁰²

³⁰⁰ Ibid. 89 -90

³⁰¹ Ibid. 91-92

³⁰² George Gene Gustines. "Marvel Comics May Have Slumping Sales but Don't Blame Its Diverse Heroes" *NYTimes.com*. Pub. Apr. 7, 2017.
<https://www.nytimes.com/2017/04/07/books/marvel-comics-diversity-thor-hulk.html>

Her fears are not unfounded: take for instance, on August 28, 2017, a woman editor at Marvel and several other women employees memorialized the recent death of “Fabulous Flo,” Florence Steinberg, Marvel’s second employee, Stan Lee’s secretary, and a long-term character around the Marvel Bullpen.³⁰³ Marvel’s female employees had a “girls only” party to memorialize her and the efforts she made to help women in the industry. Marvel editor Heather Antos posted a photo on Twitter with a selfie of the girls drinking milkshakes, and captioned the picture “It’s the Marvel milkshake crew #fabulousflo.” This small gesture caused a huge amount of backlash in internet communities and caused the editor to get harassed about being a “social justice warrior” or a “fake geek girl.”³⁰⁴ Both of these terms are derisive and often-used in fandom. “Social justice warrior,” or SJW, refers to someone who expresses perceived overly-liberal ideas in public forums. The term “fake geek girl” refers to a perception that some women get involved in primarily-male fandoms to get attention from those men and not because they actually like those things, such as comics or video games. Among creators and fans there, were counter-protests to her treatment where #MakeMineMilkshake trended for a short time.³⁰⁵

Unfortunately, the above case was not an isolated incident. This was the first in several coordinated attacks on and harassment of women and liberal creators. Take the case of Chelsea

³⁰³ As mentioned earlier, The Marvel Bullpen was largely a semi-fictional place where creators and editors coexisted in a studio and the editors and writers collaborated with each other idealistically.

³⁰⁴ Adam White. "Female Marvel Comics Editor Harassed Online For Milkshake Selfie". *The Telegraph*. Published: July 31, 2017. <https://www.telegraph.co.uk/books/news/female-marvel-comics-editor-harassed-online-milkshake-selfie/>.

³⁰⁵ Rich Johnston. "#Makeminemilkshake Goes Global As Marvel Editors Harassed After A Trip To Ben & Jerry's". *Bleeding Cool News And Rumors*. Published July 31, 2017. <https://www.bleedingcool.com/2017/07/31/makeminemilkshake-marvel-editors-harassed-ben-jerrys/>.

Cain. Cain is a popular YA novelist; her hire was considered a big catch for Marvel. Generally, Marvel's strategy for high-profile names outside of comics is to give them a character not too-terribly intertwined with the other happenings in the Marvel narrative universe so that they may write a story that is somewhat bubbled off from other things and relatively baggage-free. The idea is that new readers coming to the title are not likely to be overwhelmed and can thus have an easy onramp toward other Marvel properties and are therefore presented with the opportunity—but not a *necessity*—to explore. Cain was given the assignment of writing *Mockingbird*.

Mockingbird was a West Coast Avenger and is a character that was created decades ago, but Marvel had never given her any story pathos other than being the wife of Hawkeye. She spent most of the last 20 years dead; killed on a mission; but through comic book contrivances she eventually got better. Her profile was raised significantly when the character appeared in the *Agents of SHIELD* television show as played by Adrian Polaski. Although the comic was critically acclaimed, it did not last long; it was canceled with issue #8. The cover to the final issue, *Mockingbird* #8 (2016), had the character depicted as wearing a shirt that said “Ask me about my feminist agenda.”

The cover depiction created an internet controversy that flooded Cain's Twitter. The abuse came from anti-feminists and people opposed to the “liberalization of Marvel.” She told *Inverse Magazine* that she has written things that dwarf her comic sales and that she had never had to block anyone from Twitter before she wrote comic books.³⁰⁶ An article in *Entertainment Weekly* stated that after publication of the cover, Cain received so many abusive messages on social media that she had to quit Twitter entirely. According to the article, she said that the

³⁰⁶ Emily Gaudette. “Riri, Mockingbird have Marvel Fans at Each Other's Throats.” *Inverse Magazine* pub. Oct. 26, 2016. <https://www.inverse.com/article/22781-mockingbird-feminist-author-marvel-harassment-riri-williams-female-iron-man-woman-superheroes>

Twitter platform fosters an environment favorable to bullying. “There is still a vocal segment of the comic book readership that is dominated by sexist jerks with Twitter accounts.” In addition, she goes on to say that she didn’t leave Twitter because of anything truly vile but left because she was tired of the daily abuse. She concluded by saying that if someone was harassing you on the street, you would just walk away.³⁰⁷

In the wake of this debate, the Twitter hashtag #Istandwithcain trended. Shortly thereafter, Cain and a fellow comic writer who supported her, Brian Michael Bendis, debated whether this was specifically a “comic book fan” problem. Cain said, “yea, it is...” Nevertheless, this case stands as a reinforcement of sexist attitudes on Twitter and within the comic book industry. Unfortunately, it is not merely sexist attitudes that pervade this space.

Minority Creative and Representation

The comic books of any era are intended to represent that era. This was mentioned briefly in an example by the author of *The Big Book of Regrettable Superheroes* and *The Big Book of Regrettable Super-Villains*, in his example of what he refers to as “the tradition of the hobo superhero.” He states that many of the heroes who show up in the 1940s are poor and indigent people because so many people had been displaced by the Great Depression that, logically, those people would be more representative in the culture at large.³⁰⁸ Interestingly, the poor and homeless existed outside from and could see the morality of the culture from a different

³⁰⁷ Noelene Clark. “Chelsea Cain: Mockingbird Writer Receives Support After Cover Backlash” *Entertainment Weekly*. Pub. 10/26/2016. <https://ew.com/article/2016/10/26/chelsea-cain-mockingbird-feminist-backlash/>

³⁰⁸ Siuntres, John. “Jon Morris On The Goofiest Comic Book Heroes and Villains” Audio blog post. Word Balloon Podcast. Posted: 04/26/2017. <http://wordballoon.blogspot.com/2017/04/jon-morris-on-goofiest-comic-book.html>. ti: 50:00 – 55:00

perspective; this is precisely what many of these heroes represent for the people.³⁰⁹ Furthermore, the creators at the time were largely outsiders themselves as well as being considered of lower status; Jewish, etc.³¹⁰ Another book, *Oh My God They Printed That*, also notes that we can look back with our historical lens and see the ridiculousness of these images.³¹¹

Because many of these properties have gone on to become valuable intellectual properties, comic books cannot escape that sometimes-sordid history. There is a long trail of characters that are 50 years old or older and that do not have positive optics with regard to representation. Even as recently as a couple years ago, a creator got in trouble for his use of Romani characters in comics. Representation has become an issue.³¹² Part of the problem is the control of intellectual properties within the large machinations of multinational corporations. The representation of Marvel's intellectual property in media they don't control seems extraordinarily complicated. Marvel does not have the film rights to the Spider-Man characters, such as Spider-Gwen³¹³ or Miles Morales, or Spider-Man.³¹⁴ As a result, the studio wants to change these characters in a way that Marvel has no control over.

³⁰⁹ In fiction, outsiders, such as orphans, are not socialized by the prevailing paradigms of the hegemonic culture and therefore view what is morally correct differently from those who are insiders.

³¹⁰ Paul Lopes. *Demanding Respect: The Evolution of the American Comic Book*. (Philadelphia: Temple UP. 2009). 14.

³¹¹ Carson Demmans. *Oh My God They Printed That?!*. (Albany, GA: BearManor Media. 2017). Vii-viii

³¹² Chris Arrant. "From DR. DOOM To NIGHTWING and SCARLET WITCH: Re-Assessing Romani Representation In Comic Books." Pub: Dec. 28, 2017. <https://www.newsarama.com/37968-from-dr-doom-to-nightwing-and-scarlet-witch-re-assessing-romani-representation-in-comic-books.html>

³¹³ Rich Johnston. "And Now.. Spider-Gwen To Be Cancelled, Too? - Bleeding Cool News" *Bleeding Cool*. Pub: Dec, 28, 2017. <https://www.bleedingcool.com/2017/12/28/spider-gwen-may-cancelled/>

³¹⁴ Rich Johnston. "Sony Would Have Liked the Rights to a Gay Miles Morales Spider-Man." *BleedingCool.com*. Pub. Dec. 27, 2017. <https://www.bleedingcool.com/2017/12/27/sony-gay-miles-morales-spider-man/>

In an article where Christopher Priest describes his frustration as a Black writer, he says he used to be a guy that would write Spider-Man and Batman, then over time that changed and DC and Marvel would try to offer him a black or Latino character. He was not interested in these roles because he felt he was being typecast as a black writer. In that process, Priest learned that Marvel and DC were “hiring” writers less and less and “casting” writers instead. What this means is that the companies would go onto social media and listen to the fan suggestions: “They’re listening to chatter on Twitter insisting that only a black lesbian writer could write a black lesbian character, and that’s nonsense. A writer writes. Tom Clancy, rest his soul, could write anything. A writer writes. All of the sudden I was no longer qualified to write anybody that didn’t look like me, and I resented that.” Priest also states that he feels that the industry needs to change from top to bottom. The solution to this problem and others like it includes both distribution as well as corporate interests.³¹⁵

Case study: Secret Empire

One of Marvel Comics’ biggest perceived PR blunders of 2017 was a miniseries event called “Secret Empire.” The book itself, was intended to be a 9-issue limited series that told the story of Captain America as if he were a sleeper agent for the evil organization HYDRA. Formally, this event comic was not atypical of comic events published in recent years. As an event, it crossed over several of the company’s characters that are more popular and the plot subsumed several of the company’s ongoing titles. Ultimately there is a core mini-series that acts as the hub, and the ongoing series that the event took over acts as the spokes. In many cases,

³¹⁵ Chase Magnett. “Interview: Christopher Priest on Being Black in Comics and the Industry's Future.” *ComicBook.com*. Pub. Feb. 23, 2018.
<http://comicbook.com/comics/2018/02/23/christopher-priest-interview-black-comics/>

what is sold as a few-issue series can end up being fifty or more books if a reader invests themselves in the whole story (both the hub and the spokes). In the case of *Secret Empire*, that would entail reading 92 issues total³¹⁶ at between \$4 and \$5 an issue; not an inexpensive endeavor. The writer of the main story claims in interviews that the spin-off books are not essential.³¹⁷ Over the last decade, this model of “event comic” has become commonplace in the market, most of the time being very successful. For *Secret Empire*, the problem is less about cost of entry and more about the storyline that appears to be the primary motivator for driving away readers. It was not the event itself that caused readers to rebel, which is a pretty standard storyline—long standing hero takes a heel turn. With this particular event, however, it may have been timing that fed into the ire of the readers.

The origin of many of the important factors in *Secret Empire* go back to a couple of other Marvel series. The starting point of this story had been building since a crossover event called *Avengers: Standoff* was published starting in February 2016.³¹⁸ The plot of the story was one of a thinly-veiled police overreach scenario. Marvel’s fictional superhuman police force SHIELD uses a fragment of a cosmic weapon, called the cosmic cube, to wipe the memories of super-

³¹⁶ The list of titles for *Secret Empire*: *Secret Empire Free Comic Book Day* 2017, *Secret Empire* #0 to #9, *Secret Empire: Omega*, *Captain America: Sam Wilson* #19 to #24, *Uncanny Avengers* #22 to #26, *Captain America: Steve Rogers* #16 to #19, *Thunderbolts* #12, *Amazing Spider-Man* #29 to #32, *The Mighty Captain Marvel* #5 to #8, *Secret Empire: Brave New World* #1 to #5, *Secret Empire: United* 1, *Secret Empire: Underground* 1, *Secret Empire: Uprising* 1, *Doctor Strange* #21 to #24, *Deadpool* #31 to #35, *Secret Warriors* #1 to #6, *U.S. Avengers* #5 to #10, *Occupy Avengers* #8 to #9, *X-Men Gold* #7 to #9, *X-Men Blue* #7 to #9, *Champions* #10 to #11, *Avengers* #7 to #11, *Ultimates 2* #7 to #8, and *All-New Guardians of the Galaxy Annual* #1

³¹⁷ Siuntres, John. “Word Balloon Podcast Nick Spencer previews Marvel's *Secret Empire* and the evil plot of *Captain America*” Audio blog post. Word Balloon Podcast. Posted: 03/16/2017. <http://wordballoon.blogspot.com/2017/03/nick-spencer-previews-marvels-secret.html>

³¹⁸ Spencer, Nick (w). Mark Bagley (p). “*Avengers Standoff: Welcome to Pleasant Hill #1*” (New York: Marvel Comics. 02/17/16)

powered villains and replant the villains in small town where they can live a life of quiet civility. The story ends exactly as you would imagine: the villains figure it out and are none too pleased.

Although a story about police overreach is timely in 2016, while the police shooting of unarmed Mike Brown in Ferguson Missouri and #blacklivesmatter are still fresh in the American imagination, this book did not hit the same chord as those events. Nick Spencer, who wrote this series, was also concurrently writing a title starring Captain America's long-time African-American sidekick Sam Wilson (Falcon) as the starring character in the Captain America costume. The Steve Rogers character, who has been Captain America on-and-off since World War II, was taken out of the series due to a convoluted story contrivance involving premature aging. In his series, Sam Wilson proves to be a different kind of Captain America; in particular, he was outspoken about the treatment of African-Americans and other liberal issues.³¹⁹ *Captain America: Sam Wilson* was a series that ran from 2015-2017.

Sam Wilson has been a long-time on-again-off-again sidekick of Captain America as the Falcon. Although he was present for much of the early issues of Captain America through the 1960s and 1970s, Sam Wilson's Falcon character has never reached the notoriety of Captain America. I suspect that much of that has do with Marvel's tendency to trend-chase during the 1970s. Falcon was molded from a strong black character into a blaxploitation caricature of himself.³²⁰ Eventually, after several appearances and some rehabilitation, he was returned to form. In this recent story, Steve Rogers hand-picks Sam Wilson to take over the role of Captain America. Many saw the editorial choice of Sam Wilson as the choice that ushered in an era of

³¹⁹ Evan Hopkins. "8 Reasons Sam Wilson RULED As Captain America (And 7 Reasons He SUCKED)". *CBR*. Published: July 7, 2017. <https://www.cbr.com/8-reasons-sam-wilson-ruled-as-captain-america-and-7-reasons-he-sucked/>.

³²⁰ Ora C. McWilliams. "Captain America, Not Another Racist Honkey." In *Captain America: The Struggle of the Superhero*. Ed. Rob Weiner. (Jefferson NC:McFarland. 2008).

Marvel's decision to make their publishing line more "diverse" along their mainstream characters, as Sam Wilson was African-American. The first few issues of the series were not well-received because of perceived over-politicization of contemporary social issues. In 2015 through 2017, at the same time that *Captain America: Sam Wilson* was being published, many issues for African-Americans were also simmering up such as police brutality, racial profiling, and the shooting of unarmed black civilians. While these communities were rioting, *Captain America: Sam Wilson* commented on these same events within the comic.³²¹

After Steve got better from his premature aging, the characters decided that that there could be two Captain Americas, and conveniently Marvel was left with two titles to sell where there was previously only one, the two titles being: *Steve Rogers: Captain America* and *Sam Wilson: Captain America*. Having two titles to sell customers worked well enough that Marvel attempted to carbon copy this effort with different contrivances, garnering mixed results across several of their popular characters including Iron Man, Spider-Man, and Wolverine.

The first issue of the recently-rebooted *Captain America: Steve Rogers* series was published on May 25, 2016. It was a first issue that read like many before; the newly-rejuvenated³²² Captain America was on a clandestine mission to retrieve an object with associates Free Spirit and Jack Flagg. Captain America and Jack Flagg both commandeer a Hydra ship and, just when all looks won for the heroes, suddenly Captain America kicks Jack Flagg out of the hatch into the city below. The final page cliffhanger was Captain America,

³²¹ Nick Spencer (w) Daniel Acuna (p&i) *Captain America: Sam Wilson* #18. New York: Marvel Comics. 01/2017.

³²² A storyline previous had his super-soldier serum, the source of his powers since WWII, wearing off and aging him decades overnight. However, he got better, resetting him to status-quo.

looking almost directly at the readers and declaring, “Hail Hydra.”³²³ Perhaps not coincidentally, new readers would recognize the whisper of “hail hydra” from the recent film “Captain America: Winter Soldier.” Brand synergy.

Many felt that the declaration of “Hail Hydra” on the part of Steve Rogers betrayed the roots of the creators of the character, as both Jack Kirby and Joe Simon were Jewish. In the comic books, Hydra is not an *explicitly* Nazi organization but can nevertheless trace its roots to Nazi characters. So on one side of the controversy are the aforementioned people who felt this change to the character disrespected the creators, and on the other side were people who saw Captain America as embracing an alt-right ideology in line with their own beliefs.³²⁴ In between these two political ideologies are Marvel and writer Nick Spencer, who were genuinely caught off-guard by how much chatter the “Hail Hydra” reveal generated. They also knew that this just the first volley of a much larger story. Nick Spencer is known for ‘the long game’ in his writing; he gained popularity on Image Comics’ *Morning Glories*, a highly critically-acclaimed book. In this book, there were plot twists paying off in issue 50 that were set-up in the first issue, many years earlier. Marvel and Spencer maintained that anyone actually familiar with his writing would have known that there was going to be a long-game pay off to this twist.³²⁵

As the story of the now re-de-aged Steve Rogers in the regular *Captain America* title of the mainline Marvel Comics started to settle back into his role as Captain America, there were

³²³ Spencer, Nick (w). Jesus Saiz (p). Captain America: Steve Rogers #1. New York: Marvel Comics. 05/25/16

³²⁴ Kate Fitzsimmons. "More To Come 208: DC Rebirth And Captain America Controversy". Audio Podcast. More to Come – Publishersweekly.Com. Published: June 3, 2016. <https://www.publishersweekly.com/pw/podcasts/index.html?channel=2&podcast=587>.

³²⁵ John Siuntres. “Word Balloon Podcast Captain America-Hail Hydra ? Nick Spencer On The Day He Broke The Internet” Audio blog post. Word Balloon Podcast. Posted: 05/27/2016

little hints dropped in the story that all might not be as it seemed. The big twist of the book was that Captain America had been a kind of ‘Manchurian Candidate’ all along. Through a comic book contrivance (explained later), it was explained that Captain America’s past was always wrapped up in fascism and he believed himself to a Hydra agent all along, serving the ends of the world domination organization. In some ways, Nick Spencer’s story is one about consequences for those who have even the best of intentions. The story harkened back to the limited series *Avengers: Standoff*, where SHIELD taught the cube to wipe memories; by harnessing the weapon via stepping on the liberties of others, in a way they brought the events of *Secret Empire* on themselves.

While all this was happening in the comic books, in the real world certain conservative factions (alt-right, neo-Nazi, etc.) took this an opportunity to use Captain America as a symbol for their own politics. Posters on message boards used Captain America in their signature lines. People dressed in costume as Captain America at rallies while protesting liberal policies. People pointed at the *Secret Empire* series as popularizing a pro-fascist Captain America. For example, alt-right elements co-opted the symbology of Captain America at a pro-trump rally in Minnesota.³²⁶ During a news story on CNN white supremacists were caught on video wearing Hydra symbol t-shirts.³²⁷ These may or may not be isolated incidents, but they are representative of symptoms endemic of larger political sea changes within America itself wherein the storyline seemed to embolden factions which years earlier were all but unmentionable.

³²⁶ Rich Johnston. “On Saturday, Captain America Marched On The Minnesota Capitol With The Alt-Right” *BleedingCool.com*. Published: 5/7/17 <https://www.bleedingcool.com/2017/05/07/on-saturday-captain-america-marched-on-the-minnesota-capitol-with-the-alt-right/>

³²⁷ Terror, Jude. “White Supremacist Spotted on CNN Wearing Hydra T-Shirt.” *BleedingCool.com*. Pub. Aug. 16, 2017. <https://www.bleedingcool.com/2017/08/16/white-supremacist-spotted-cnn-wearing-hydra-t-shirt/>

This is not the first time that the alt-right has co-opted a symbol from comics to express hate. They also co-opted an internet comic character named Pepe the Frog. Pepe was created by Matt Furie; the creator spent a lot of money in various courts attempting to sue to get his creation back, but it is likely forever tainted by this appropriation on the part of fascist elements.

John Siuntres, in an interview with Nick Spencer just after the reveal at the end of the first issue, likens Spencer's Captain America story to other stories, which upset people at the time. Much like Captain America, the *Superior Spider-Man* story was one where Spider-Man was temporarily mind-swapped with one of his villains.³²⁸ He also compares the story to *Superman: Red Son* where Superman crashed in the Soviet Union (specifically in Ukraine) instead of in America and became a symbol for Soviet supremacy rather than for "truth, justice, and the American way."³²⁹ In talking about these stories, Siuntres speaks of the complicated stories of heroism, which are not simply like the "old George Reeves Superman" stories. Siuntres states the stories that people get comfort from are stories where "the girl is tied to a railroad track, where a villain twirls his mustache then the hero crashes through the wall, hero unties the girl, punches the villain, end of story."³³⁰ In response to that characterization, Spencer states that *really* compelling stories are not those types of stories. He notes that *Captain America: Steve Rogers* #1 came out the same week as *DC Comics Rebirth* #1, which was leading competitor DC Comics' attempt to pivot away from the dark characterizations of its characters and move toward

³²⁸ John Siuntres. "Word Balloon Podcast Captain America-Hail Hydra ? Nick Spencer On The Day He Broke The Internet" Audio blog post. Word Balloon Podcast. Posted: 05/27/2016 <http://wordballoon.blogspot.com/2016/05/word-balloon-podcast-captain-america.html>

³²⁹ Mark Millar, (w). Johnson, Dave (p&i) Robinson, Andrew (p&i) *Superman: Red Son*. (New York: DC Comics. 2003).

³³⁰ Siuntres. John. "Word Balloon Podcast Captain America-Hail Hydra ?.." ti: 10:02-11:09

characters who “hug it out and everyone is happy at the end.” Spencer says that readers who claim to want that are either lying or deluding themselves; he posits that humans are not built to want such simplicity month-in and month-out; what they *really* want is real, compelling stories to keep them engaged in the serialized format. He refers to “DC Rebirth” as a pressure valve release. He goes on to explain that his job as a writer is to keep the reader invested in the character and that if the character was never in any real peril, then readers would cease to be invested.³³¹

In the case of the Captain America “Hail Hydra” reveal, Spencer stated that he felt the media coverage may have “blown up” and possibly ruined people’s perception of the story by knowing the reveal before reading the issue. He says he figured that it was one thing that *Entertainment Weekly*, *The New York Times* and CNN were going to do stories but, he did not foresee all of the mainstream coverage that was coming and was shocked that it became the most-talked about story the day it came out, to such an extent that even “average people” were talking about it. He recounts a story he had been told wherein a gentleman had heard that there was a big thing that happened in the Captain America book that day and in an attempt to avoid the spoilers, had driven to his local comic shop. He bought the book and went out to his car and when he started the car only for the local radio station to be talking about the spoiler for the story. To that, Spencer says that the media and social media coverage was “surreal”; that it was bizarre that millions of people were talking about his comic book.³³²

When you decide to do something like this, you understand obviously that people aren’t gonna throw you a party for it.. You understand that this is the kind of story designed to

³³¹ Ibid. ti: 14:17-15:41

³³² Ibid. ti: 12:05 – 14:16

upset people and shock people and worry people. That's the response you're supposed to have to something like this, when you're seeing a bad thing.³³³

In another interview, the Editor-in-Chief at the time Axel Alonzo echoed those sentiments and said that they expected reactions similar to that of when they adjusted the race or gender of other characters, rather than the reaction that they received. "We're trained to anticipate a strong reaction to change or a big plot twist like this, whether it's a female Thor or the new Ms. Marvel or the Korean-American Hulk. We didn't expect the reaction to be anywhere this big."³³⁴ Alonzo mentions in the interview a couple of times that he is letting Nick Spencer tell the story he wants to tell.³³⁵

Alonzo goes on to say that a lot of the blowback about Captain America's heel turn is the people who do not understand that comics always return to status quo. "I think a lot of the people reacting most violently aren't people that go to the comic book stores every Wednesday and are trained to understand the way the comics work and the rhythms and how we could do this kind of thing with our heroes."³³⁶ While gearing up for the *Secret Empire* event, Marvel started an initiative called the "Hydra takeover" at comic shops, suggesting that comic stores modify their logos with Hydra symbols and encourage their employees to wear shirts with the Hydra logo.³³⁷

³³³ Melissa Leon. "'Captain America' Writer Nick Spencer: Why I Turned Steve Rogers into a Supervillain." The Daily Beast. Published: 5/26/16.
<https://www.thedailybeast.com/captain-america-writer-nick-spencer-why-i-turned-steve-rogers-into-a-supervillain>

³³⁴ James Viscardi. "EXCLUSIVE: Major Captain America HYDRA Revelations In 'Captain America: Steve Rogers #2'" *Comicbook.com* Posted: 06/18/2016.
<http://comicbook.com/2016/06/27/exclusive-captain-america-is-not-the-hydra-agent-he-thinks-he-is/>

³³⁵ Ibid,

³³⁶ Ibid,

³³⁷ Johnston, Rich. "Comic Stores To Change Their Logos For Hydra Takeovers In June". Bleeding Cool News And Rumors. Published: May 19, 2017.
<https://www.bleedingcool.com/2017/05/19/comic-stores-change-logos-hydra-takeovers-june/>.

After receiving negative press for the initiative, it was unceremoniously canceled and quietly scuttled.

When discussing Captain America's popularity, Spencer states that he believed that the character was riding at an all-time high after audiences had been exposed to the character through three title movies and other appearances in film. Building up to his run on Captain America, Spencer tells the interviewer that he had received a lot of "snark" for placing the character back into his movie status-quo (i.e. de-aging him). He says that there was no way Marvel could build their publishing schedule around the events of the movies. As an example, he says that people thought Marvel would change Thor back from being woman to man to match the movie character, which they didn't. In this "snark" he says, he saw that as an opportunity for a huge misdirect by making it seem to readers as if the character had been returned to his status-quo, having been de-aged and put back into the costume and resuming his duties; but he was not, in fact, back to normal at all: he was evil.

Throughout the *Secret Empire* series Steve Rogers, the symbol of America, begins to subvert people toward the aims of Hydra and those heroes trust him because, after all, he *is* Captain America. Spencer says he picked Captain America to star in this story because he was the Marvel character that had the cleanest hands. "who else does the public trust more than Captain America?"³³⁸ Eventually the story ends when the rest of the heroes of the Marvel Universe figure out something is off about their former teammate and friend and eventually overthrow him.

By way of defense, Marvel Comics and writer Nick Spencer state that the *Secret Empire* story had been in the works, as planned, for months and years in advance, and that they are likely

³³⁸ Siuntres. John. "Word Balloon Podcast Captain America-Hail Hydra ?.."

correct in believing that the news of the story was more incendiary than the story itself. People hearing things and blowing them out of proportion or hitching their own issue to this story likely was a part of the PR nightmare. Having said that, considering the way in which this story touched a nerve for so many, it is important to take into account the reception of the text. It is very difficult to refrain from noting that this storyline was unfolding alongside the campaign and eventual election of Donald Trump and his non-renunciation of the alt-right element that make up a part of his base. This event colored the interpretation of the event for fans. Take, for instance, one direction in which the discussion turned, taking into light the political climate which the book was released: a “Globalists Versus ‘America First’” ideological reading. Reviewers for podcast TheM6P looked at this perspective in their podcast.³³⁹

When asked about the parallels to contemporary political situations including the popularity of then-candidate, Donald Trump’s message. Nick Spencer says that in order to make the Captain America story more real he had to research some ugly messages that are attractive to certain groups of people and that people noticing those messages as being similar to what attracts groups to any candidate’s ideological position was “not his place to say.”³⁴⁰ However, he goes on to say that in his research, which he had done a significant portion of prior to the election, he did not actually think that a viable candidate would spring from those ugly ideologies. Eventually, the debate about this storyline got so heated that Spencer was forced to quit social media. Additionally, he stated that over the course of the storyline members of his family received

³³⁹ TheM6P. “Way Too Political with this Cap – Episode #108.” Audio blog post. *TheM6p.com*. Published 10/02/2017 <http://www.them6p.com/2017/10/02/way-too-political-with-this-cap-episode-108/>

³⁴⁰ Leon. “Captain America’ Writer...”. Ibid.

several death threats.³⁴¹ He says he knew that people would feel strongly about the story, but adds that some of what unfolded was unnecessary; after all, investment in the story and character is one thing, but at the end of the day, Spencer feels his job is to push to the edge and pull back: that is entertainment.

After the Captain America and *Secret Empire* series was over, Marvel Comics ran as far away from it as possible. The company likely saw photos from the neo-Nazi rallies and others like it as hugely damaging to their intellectual property: damage that may have been done even when the message of the series turned out to be anti-fascist.

Outspoken comic writer Mark Waid, the next to write Captain America, said in interviews that his vision of the character would not really have much to do with what happened during Spencer's tenure. Waid was also the writer on *Avengers* during the *Secret Empire* story. The final acknowledgement of *Secret Empire* came in the comic *Not Brand Ecch* #14, which also came out in 2017, there was a parody of the *Secret Empire* story written by Nick Spencer himself. Perhaps this comic was done as a group therapy for the company and for fans after a difficult story...or perhaps as another situation where the comic book industry created a commodification of its own parody.

The alt-right enters the discussion

#comicsgate, among one of the names they call themselves, is a group of outspoken fans who believe that a liberal agenda is ruining the comic book industry. The movement grew due to support from many conservative creators who were outspoken on social media about their belief

³⁴¹ Siuntres, John. "Word Balloon Podcast Nick Spencer Secret Empire Wrap Up" Audio blog post. Word Balloon Podcast. Posted: 09/12/2017.
<http://wordballoon.blogspot.com/2017/09/nick-spencer-secret-empire-wrap-up.html>

that Marvel marginalized them during the diversity push.³⁴² This element has taken deep root within comics because many conservatives feel that comic books are their “home turf.”³⁴³ In early February 2017, the ‘Anti-Diversity Sparrows’ created a blacklist that they stated was for “educational purposes only.” The list names many women, people of color, and “progressives.”³⁴⁴ However this list, like many before it, is indeed intended to harm people. An article from Inverse.com states that the beginning of #Comicsgate was born out of the Gamergate movement along with alt-right elements.³⁴⁵ Of note: Nick Spencer, writer of the much-maligned *Secret Empire* story, was on the list.

Richard Mayer has a YouTube channel called, ironically, “Diversity & Comics.” In these regularly-posted video rants, he will usually attack what he feels is a liberal element in comic books. Mayer decided that the best way to counter the perceived liberalization of comics and what he felt was the oppression of his free speech was to create his own comics. Mayer created a comic called “Jawbreakers,” intended to show strong masculine heroes and traditional values. Jawbreakers was set to be published by Antarctic Press, a publisher known in the past for their manga reprints, but who has since pivoted to and done well in recent years with political parody comic books featuring Barack Obama and Donald Trump. Due to the negative press reaction to

³⁴² Josh Epstein. “#Comicsgate Calls for Blacklist of Progressive Creators.” *CapelessCursader.com* pub. Feb. 9, 2018. <https://capelesscrusader.org/comicsgate-calls-blacklist-progressive-creators/>

³⁴³ Del Arroz, Jon. “Mob Attempts to Strangle YouTuber’s Breakout Success Upon Ditching SJW-Infested Comics.” *The Federalist.com* 2018. <http://thefederalist.com/2018/05/15/mob-attempts-strangle-youtubers-breakout-success-upon-ditching-sjw-infested-comics/>

³⁴⁴ In the interest of full disclosure, one creator on this blacklist is B. Clay Moore, who was interviewed for this project.

³⁴⁵ Francisco, Eric. “Comicsgate Is Gamergate’s Next Horrible Evolution.” *Inverse.com*. pub. Feb. 9, 2018. <https://www.inverse.com/article/41132-comicsgate-explained-bigots-milkshake-marvel-dc-gamergate>

Jawbreakers coupled with the pressure Antarctic Press received from other creators in the industry due to Meyer's outspokenness in #comicsgate, it was canceled. Meyer later ended up crowdsourcing it across several different funding sources to a goal of almost \$200,000.³⁴⁶

Jawbreakers was not an isolated incident. Perhaps the most popular of these comics was a book called *Alt*Hero*. The comic was funded on an alt-right version of Kickstarter called Freestartr. At Freestartr, the comic raised almost \$236,000 of an original goal of \$25,000 to get published.³⁴⁷ Ten times the original amount.

Meyer's views did receive some negative mainstream attention when comedian Jim Jeffries lampooned him and confronted him on his television show in late July 2018. The comedian asked people at comic-con what they thought of Meyer, with some referring to him as "homophobic," "racist," and a "garbage human." Meyer received much criticism for his YouTube videos suggesting that successful women "suck their way to the top" or that comics were dying because they use a diversity of body types and no longer draw characters like "1980s Dallas Cowboys Cheerleaders."³⁴⁸

Most comic book creators hoped that #Comicsgate would just go away, so many within the industry had refrained from speaking out about it. That changed in late August 2018 when several top comic book creators spoke out against the anti-diversity and pro-bullying group on social media and suggested they stand up for one other against the bullying group. Writer Jeff

³⁴⁶ Jon Del Arroz. "Mob Attempts to Strangle YouTuber's Breakout Success Upon Ditching SJW-Infested Comics." Published: May 18, 2018. <https://thefederalist.com/2018/05/15/mob-attempts-strangle-youtubers-breakout-success-upon-ditching-sjw-infested-comics/>

³⁴⁷ Vox Day. "Alt*Hero Volumes I, II, & III" Freestartr.com

³⁴⁸ Julia Alexander. "Comedian Jim Jeffries confronts 'Diversity and Comics' creator over offensive remarks." Polygon.com. Pub: July 25, 2018. <https://www.polygon.com/comics/2018/7/25/17613668/jim-jeffries-comics-and-diversity-richard-meyer-comic-con-sdcc-2018>

Lemire first denounced the movement by saying that that it was “based in fear, intolerance, bigotry, and anger.” Artist Bill Sienkiewicz replied by referring to them as engaging in “plain-old-ugly-dogma.” Many other creators followed suit.³⁴⁹ Artist Frank Cho came out a few weeks later after having heard his name associated with the group to make it clear he had no association with it by saying he was a “proud liberal democrat, I’m against everything Comicsgate stands for and... Let me be clear, FUCK COMICSGATE!”³⁵⁰ The post was presented along with a rendering of Jennifer Lawrence as Katniss Everdeen from the *Hunger Games* books, an allusion suggesting that we overthrow tyranny.

Although these attacks seem to largely be perpetrated by organized groups, such as in the case of #comicsgate, there are examples of attacks from the other side as well. As an example, consider when Ethan Van Schiver needed to write a plea on his blog that that he was not a “Nazi” in the wake of the attacks in Virginia on August 12, 2017. He was accused of being a Nazi after others on the internet “outed” his political affiliation as a Republican and noted his support for many conservative causes.³⁵¹ Since that time, Ethan Van Schiver has come out in support of #comicsgate as well as many of their anti-diversity-in-comic-books ideological positions. As a result, that battle may have been a distinction without a difference.

³⁴⁹ Kieran Shiach, “Top Comics Creators Denounce ‘Comicsgate’ for the First Time.” Polygon.com pub: Aug. 29, 2018. <https://www.polygon.com/comics/2018/8/29/17796422/comicsgate-online-harassment-darwyn-marsha-cooke-van-sciver>

³⁵⁰ Johnston, Rich. “Frank Cho Talks Comicsgate.” BleedingCool.com. pub: Sep 17, 2018. <https://www.bleedingcool.com/2018/09/17/frank-cho-talks-comicsgate/>

³⁵¹ Johnston, Rich. “No, Comic Creator Ethan Van Schiver Is Not A Nazi”. *Bleeding Cool* Pub. Aug. 14, 2017.. <https://www.bleedingcool.com/2017/08/14/ethan-van-sciver-not-nazi/>. [Although it should be noted that he later was attacked more because of his support of #comicsgate.]

Chaykin & *The Divided States of Hysteria*

There is a real mass cultural divergence taking place within America. Understanding the importance of this mass cultural divergence is important, as it can help us to understand the increasing polarization within America. An example from 2017: during a larger cultural discussion about gun control, the main problem that some political portions of the United States had with various gun control measures was that people being interviewed and members the media were using the words “cartridge or clip” instead of “magazine”—or, worse, were using all three interchangeably.³⁵² This may seem like a silly point, but at the height of the calls for gun control outside of the Florida Parkland shootings, this was the prevailing talking point on conservative media outlets. From their perspective, they were asking an important question about why people are seeking to limit something that they find scary and do not understand; effectively, as they saw it, acting like cavemen attempting to ban fire because they did not understand it. To the people to whom this issue is important, the gun control advocates might as well be asking why Batman doesn’t call in the rest of the Avengers.

Comics producers understand some of this divide in America. Take, for example, Howard Chaykin. A prolific and highly critically acclaimed comic creator, he has been in the industry since the 1980s. His first major work was a book called *American Flagg*, published by the now-defunct First Comics from 1983 to 1989. Throughout his career, many of his works have had a political slant to them. He announced in 2017 that his upcoming comic series *Divided States of Hysteria* would be a six-issue limited series; the story of the series was likely to get him

³⁵² Harsanyi, David. “If You’re Trying to Ban Guns, Learn the Basics.” *National Review*. Pub. Mar. 9, 2018. <https://www.nationalreview.com/2018/03/gun-control-advocates-ignorant-about-guns/>

arrested.³⁵³ Chaykin never got arrested, but he did receive a fair amount of backlash for the cover to the fourth issue of the series. Most of that backlash came when he depicted a lynched man with his pants around his ankles, genitals mutilated, bearing a nametag that read “Paki.” Chaykin claimed he was calling attention to hate crimes, others claimed it was just in bad taste. Just after it was released, Image Comics recalled the cover due to the backlash online.³⁵⁴

There are several comic book covers that have caused controversy. In 2014 Marvel released a solicitation for a Spider-Woman comic with a cover by erotic artist Milo Manara. The cover portrayed the character in an unlikely pose, which stressed her shapely derriere.³⁵⁵ Marvel did not recall the cover for its sexist pose. As a result, a parody meme sprung up where many drew other characters in the impossible pose.³⁵⁶ Marvel also published a comic called X-Men Gold where an Indonesian artist hid anti-western messages in the backgrounds of various panels. Again, Marvel did not recall the book but instead fired the artist and stated that in subsequent printings the art would be modified.³⁵⁷ Later, Marvel again solicited a cover, this time by J. Scott Campbell, that some said over-sexualized a character that was supposed to be a 15-year-old girl.

³⁵³ Kat Salazar. Chaykin’s THE DIVIDED STATES OF HYSTERIA, a timely and unflinching political commentary” Image Comics. Pub: Mar. 16, 2017. <https://imagecomics.com/content/view/chaykins-the-divided-states-of-hysteria-a-timely-and-unflinching-political>

³⁵⁴ Beth Elderkin. “Image Comics Pulls Comic Book Cover That Showed Violent Lynching” gizmodo.com pub: Jul. 2, 2017. <https://io9.gizmodo.com/image-comics-pulls-comic-book-cover-that-showed-violent-1796585827>

³⁵⁵ Eliana Dockterman. “Marvel Is Actually Going to Publish That Sexist Spider-Woman Cover” Time.com. pub: Nov. 19, 2014. <http://time.com/3594514/marvel-spider-woman-cover/>

³⁵⁶ Heavy Metal Magazine. “13 Parodies of Milo Manara, Frank Cho and the Infamous Spider-Woman Pose.” published. Jan. 26, 2018. <http://www.heavymetal.com/news/13-parodies-of-milo-manara-frank-cho-and-the-infamous-spider-woman-pose/>

³⁵⁷ Beth Elderkin. “Marvel to Discipline X-Men Gold Artist for Controversial References to Indonesian Politics [Updated]” Gizmodo.com. Pub: Apr. 4, 2017. <https://io9.gizmodo.com/marvel-to-discipline-x-men-gold-artist-for-controversia-1794142015>

Due to the outrage, this time Marvel canceled it before it went to print;³⁵⁸ but not before J. Scott Campbell fired off a tweet in response to fellow comic creator Erik Larson asking if this was a case of body shaming, with Campbell replying, “Ha! Nope, nope. Sitting this SJW whine-fest out. Not taking their bait this round ;)”³⁵⁹ Recall that “SJW” is taken here to mean “social justice warrior,” a pejorative term referring to people who speak out in favor of progressive causes such as feminism and political correctness. A couple years earlier, DC Comics got into trouble when they published a cover over-sexualizing Wonder Girl, who was also a teenage girl.³⁶⁰ DC Comics also canceled a variant cover for a Batgirl comic, at the artist’s request, that depicted the character as crying while being held hostage in an homage to an earlier story where she was paralyzed by the character.³⁶¹ The cancellation was applauded as a good decision because defining a female character by her victimization serves no purpose.³⁶² Image Comics was also already under scrutiny already from online communities due to another earlier depiction of transpeople in the series *Airboy*.³⁶³

Image Comics had previously received some backlash for *Divided States of Hysteria* based on depictions of a transgender sex worker being attacked on the alternate cover of the first

³⁵⁸ James Whitbrook. “Marvel Pulls Variant Cover For Sexualizing Invincible Iron Man's New 15-Year-Old Hero.” pub: Oct. 21, 2016. <https://io9.gizmodo.com/marvel-pulls-variant-cover-for-sexualizing-Invincible-i-1788069288>

³⁵⁹ J. Scott Campbell. “Ha! Nope, nope. Sitting this SJW whine-fest out. Not taking their bait this round ;)” Oct. 19, 2016, 10:50 AM. <https://twitter.com/JScottCampbell/status/788799493504311296>

³⁶⁰ Janelle Asselin. “Anatomy of a Bad Cover: DC’s New “Teen Titans” #1” pub: Apr. 11, 2014. <https://www.cbr.com/anatomy-of-a-bad-cover-dcs-new-teen-titans-1/>

³⁶¹ But she got better.

³⁶² Rob Bricken. “The Real Problems With This Controversial Batgirl Cover.” Gizmodo.com. Pub. Mar. 15, 2018. <https://io9.gizmodo.com/the-real-problems-with-this-controversial-batgirl-cove-1692184909>

³⁶³ Nick Adams. “Writer James Robinson Responds To Fan Criticism Of Transphobia In Image Comics' “Airboy””. *GLAAD*. Published: July 3, 2015. <https://www.glaad.org/blog/writer-james-robinson-responds-fan-criticism-transphobia-image-comics-airboy>.

issue; making things worse was that it was a “Pride Month” alternative cover. These covers were, in theory, intended to celebrate homosexual culture. In the recall statement, Image posted an apology for anyone who may have felt impinged upon by the violence depicted on the cover. But they went on to say, in part:

People have described the cover to DIVIDED STATES #4 as distasteful, and they're right in that: ALL hate crimes are horrifying, dehumanizing, and distasteful, and the intent of this cover was to challenge people to look at what we as a society have become. Every hate crime is perpetrated under the cover of willful ignorance, because there is always someone content to turn away from what is really happening or label shameful truths as “alternative facts.” What’s more, ignoring that these hate crimes exist—and that they are happening right now—watering down in any way how bad things have become, seems like a cop out, like turning a blind eye at a time when we all need to be paying attention.³⁶⁴

Effectively, Image Comics used this statement to defend the right of artistic expression: even for the purpose of deliberately evoking strong negative emotions.

The Guardian published a post on its blog titled “The Divided States of Hysteria's shocking cover should never have been printed.” The piece characterizes Image’s editorial as “hands off” and calls for greater editorial oversight to avoid these cases in the future.³⁶⁵ However, such oversight would likely go against the mission statement of Image Comics.

In Chaykin’s response, he details how he feels about the politics that brought him to the point of writing the book:

My country has become a cesspool of arrogant, over-opinionated and willfully ignorant narcissists on both sides of the political aisle. But while the right seems to operate in a maddeningly cohesive manner, behaving like the cowards who encouraged bullies to beat

³⁶⁴ Kat Salazar. “Image Comics & Chaykin respond to sensitivity feedback, pull THE DIVIDED STATES OF HYSTERIA cover” Image Comics. Pub: Jul. 1, 2017. <https://imagecomics.com/content/view/image-comics-chaykin-respond-to-sensitivity-feedback-pull-the-divided-state>

³⁶⁵ Kieran Shiach. “The Divided States of Hysteria's Shocking Cover Should Never Have Been Printed.” The Guardian. Pub: July 5, 2017. <https://www.theguardian.com/books/booksblog/2017/jul/05/the-divided-states-of-hysteria-cover-image>

the shit out of me in grammar school, committing treason in the name of holding to white privilege, the left has become a cadre of entitlement, supplanting that misbegotten white privilege with a series of assumptions about behavior—specifically others’ behavior—that creates a deeply hostile victim culture.

And of course, that left has evolved into a culture and community that feels that a white, cisgendered male has no right to tell stories of characters who are not white cisgendered males. Beyond its obvious and ridiculous limitations, this is just one more variety of fascism with a sympathetic and friendly face—from a left that still hasn’t figured out a cohesive way to save itself, the country and the world from the crushing monster that my country has become.

Eloi and Morlock.³⁶⁶

In discussing the backlash against *Divided States of Hysteria*, Howard Chaykin says that the political divides have turned us into “Eloi and Morlock”;³⁶⁷ this is a reference to *The Time Machine* by H.G. Wells, where the protagonist has been flung into the far future and to his horror he discovers that humanity has diverged into two separate species. These two divergences have both lost their humanity in different ways; the Morlock are inhumane in that they feast on the Eloi. The Eloi have their way of life provided for them and have lost any sense of struggle or intelligence. The point Chaykin is getting at is that the two species cannot communicate—and even if they could, they would not want to hear what the other has to say.

The point he seems to be making is that we don’t share the same culture; we don’t speak the same language. In losing a sense of mass culture, we are losing our shared reference points; all reference points to greater understanding of issues. If we do not speak the same language, the divisiveness that many claim is a problem in this country will continue to elude us.

While people online were fuming over his cover, Howard Chaykin’s own response was a bit more tepid and restrained. He stated that he agreed with the choice to pull the cover because he didn’t want cause his colleagues who work at Image any distress. However, a breath later he

³⁶⁶ Ekstrom, Steve. “HOWARD CHAYKIN RESPONDS” Freaksugar.com. Pub. 07/03/17. Accessed: 01/16/18. <http://www.freaksugar.com/chaykin-responds/>

³⁶⁷ *ibid*

called many of them cowards who pander to audiences to sell more comics rather than risk invading a reader's comfort zones.

When asked whether he's read online comments about the cover, he stated that he chooses not to read either positive *or* negative comments about his work online. He concludes by stating that he provided an e-mail address at the back of the comic through which readers could send comments and criticism to him directly, and noted that at the time of the interview, not a single person had sent an e-mail to that address; he took this to mean that the people criticizing the cover were not the same people who were reading the comic. An outspoken "radical" himself, he closed the reply by saying, "I leave it to you to draw your own conclusions about censorship via regressive liberalism."³⁶⁸ This echoes a statement he previously made in an essay from the first issue of the comic, since republished on the Image Comics website which reads: "So instead of 'trigger warnings,' 'cultural appropriation,' 'safe spaces,' and 'Social Justice Warriors,' maybe we on the left should have put aside all this balkanizing nonsense and been fucking Americans for fuck's sake"³⁶⁹

In conclusion, many of the current issues' creators have in comic books explicitly reach back into history. Issues regarding working conditions and pay are all directly related to the marginalization of the industry itself. Even the issues regarding fan interaction with creators harkens back to when the industry started to include creations made by fans of the medium itself. Politics in comic books have long affected the content of these books. The most recent election affected comic books. To some, like Howard Chaykin, the election has pointed to real

³⁶⁸ Steve Ekstrom. "HOWARD CHAYKIN RESPONDS"

³⁶⁹ Kat Salazar. "On THE DIVIDED STATES OF HYSTERIA #1, an essay from Howard Chaykin" pub: June 7, 2017. <https://imagecomics.com/content/view/on-the-divided-states-of-hysteria-1-an-essay-from-howard-chaykin#sthash.Z7Rz5Hah.dpuf>

differences in the ideological debates that separates us down to the linguistic level. Concurrent with the election and Donald Trump's first year in office, Marvel Comics ran a major storyline that crossed over into several of their titles for the year that seemingly commented on America's embrace of fascism. Nick Spencer, the creator assigned to write the Secret Empire limited series and both Captain America titles that were coming out at the time, had taken quite a bit of heat. His book took Marvel's de-facto American God and heel-turned him into a villain. Spencer gave two interviews with John Siuntres when the over the crossover concluded; he remained largely good humored about it, stating that "when you write this sort of story, you're going to take heat." The creators know that fans are going to be upset but perhaps a more tempered response on the part of those fans not ruining careers and involving death threats.

Chapter 5: “Welcome to the Comic Book Industry... Hope That You Survive the Experience.”

I chose the method of ethnography because I felt that in order to get an idea of what is actually going on in the industry, it was best to speak directly with those who are “in it.” Coffey and Atkinson say that using qualitative data helps us “capture the complexities of the social worlds we seek to understand.”³⁷⁰ In researching my project, I have found that the academic literature uses this same sort of process to explain the production of things, even comic books. As stated in the introduction, much of the literature in dealing with comic books follows a pattern: Step 1—Raw materials Step 2— “Stuff is made”; Step 3—People consume that “stuff,” possibly for a profit. The effect of this three-step process is that branding and the object of labor is highly visible, while crafting and production are largely invisible. Comic book creators have a higher degree of visibility and access than most assemblers in the process.

Between 2016 and 2018, I attended several comic book conventions and asked creators a series of questions. These creators were from all over the comic book industry: seasoned professionals, people just starting out, and people trying to break in. I asked men and women of many ages. I asked people who are exclusively work-for-hire, people who do creator-owned work and people who self-publish. I hoped to cast the widest net possible to capture as many experiences as possible. It is in this way that my interviews “reflect polyphony—the multiple voices—of the real world”;³⁷¹ any subject of this study should not be monolithic. The basis of

³⁷⁰ Amanda Coffey and Paul Atkinson. *Making Sense of Qualitative Data*. (Thousand Oaks, CA, US: Sage Publications. 1996).

³⁷¹ David N. Gellner and Eric Hirsch. *Inside Organizations: Anthropologists at Work*. (Oxford: Berg. 2001). 9-10

this part of the ethnography assumes that a plurality of voices is better than a monophony. When doing such a study, it may be preferable to avoid cacophony as well. This is where ethnography begins to show trends within a study: several people sharing both similar stories as well as outlier experiences. In their book about creative labor, David Hesmondhalgh and Sarah Baker say of the interviewing process that it allowed the people they interviewed in creative industries to recount their experiences and relate why they think what they do.³⁷² Additionally, the work of Studs Terkel influenced how I approached my expression of the subject as well;³⁷³ his method allowed his subjects the opportunity to weave their own narratives, with his own voice absent or in the background. When approaching my topic, I decided that it was best to let the workers speak for themselves whenever possible.

In order to get to an idea of what working conditions were like for these people, I asked several direct questions: “What’s it like working with collaborators?” “What are your editors like?” Often, these questions would lead to more subtle topics that these creators brought up over the course of the interviews; things such as, being “pigeon-holed,” which was not something brought up in a direct question but that nevertheless weaved through several creator talks. I argue throughout these discussions that working conditions vary but still remain precarious, and that “making it” in the comic book industry means different things for different people. While making the equivalent of a living wage or having the stability of, for example, health insurance and a retirement setup is ideal, for many of the creators I spoke with, being in comics fulfills a lifelong ambition—there is a “magic” that comes from the combination of words and pictures.

³⁷² David Hesmondhalgh, and Sarah Baker. *Creative Labour: Media Work in Three Cultural Industries*. (London: Routledge.2012). 15.

³⁷³ Studs Terkel. *Working; People Talk about What They Do All Day and How They Feel about What They Do*. (New York :Pantheon Books, 1974)

Even in the worst of conditions, it would be difficult to deny people the realization of their ambitions or the chance to experience the “magic” that comes with making comic books. Like the fables of old tell us, using magic comes with a price: it follows, then, that the “magic” of combining words and pictures comes a price as well: that price is the inherent precariousness of working in such an industry. This is a precariousness that those choosing to work in the industry understand they will experience, but it is precariousness nonetheless.

The Scene

Because I wanted to get as clear a view into the inner workings of comic book industry as possible, I went to various conventions and into meetings with other professionals in the industry. In these meetings, suddenly, industry motivations and the mistakes seemed to make much more sense from the perspective of an observer within the system itself. Anthropologist Barbara Tedlock wrote about the process of ethnography as creating a narrative, “...an ethnographer takes us back to his or her life in the field that was unusually vivid, full of affect, or framed by unique events. By narrowing the lens, these authors provide a window into their personal lives in the field.”³⁷⁴ By entering the comic book industry through the experiences of one of its workers, and by observing the situations he encounters, it was my hope to bridge the gap between the public imagination and the industry in practice.

It occurred to me over the course of my numerous interviews that many of these people are storytellers for living. They look for narrative flow and logical consistencies in the stories of their own life even as he recounts them. In describing the sociological narrative method, Berger and Quinney write, “It is about stories and story structure. It is about imbuing ‘life events with a

³⁷⁴ Barbara Tedlock. “From Participant Observation to Observation of Participation: Emergence of Narrative Ethnography” in *Journal of Anthropological Research*. 47:1. (1991). Pp. 69-94.

temporal and logical order,' about establishing continuity between the past, present, and as yet unrealized future, about transforming human experience into meaning."³⁷⁵ They continue to say that people look for coherence and structure in their own stories. In telling stories about their own lives, people use complex narrative structure to bring chaos into coherence.³⁷⁶ To a certain extent, we all try to add coherence and narrative to our own experiences.

In what follows, I attempted to make a conscious effort to step back and privilege the storyteller over myself as the analyst. Berger and Quinney suggest that history is full of people who told history on behalf of others, and the aim of this sort of research should be "authenticity."³⁷⁷ In the case of this experience, these creators are subject to a larger system of forces, many of which are out of their control. It is important to consider these larger historical forces when telling the story of an individual, in a way that illuminates that the problem is not the individual, but the system.³⁷⁸ Coming from this perspective, it is important to note that much of what a single creator encounters are not simply *his or her* problems, but are in fact larger issues that affect others in his position as well. Having said that, some of these experiences, however, are indeed unique to a single situation.

One signing I went to featured, artist Greg Smallwood, was in a comic store. The retail space is one that is important to these creators because those places which their product is sold is in some ways the "front line" of what people think about the product itself. One signing I went to was at such a store. The comic store itself was in a strip mall tucked away behind a bank and an

³⁷⁵ Ronald J. Berger and Richard Quinney. "The Narrative Turn in Social Inquiry." In *Storytelling Sociology: Narrative as Social Inquiry*. Edited by Ronald J. Berger and Richard Quinney. (Boulder: Lynne Rienner Publishing. 2005). 4.

³⁷⁶ *ibid.* 5

³⁷⁷ *ibid.* 6, 9

³⁷⁸ Laurel Richardson. "The Metaphor is the Message." in *Ethnographically Speaking*. Ed. Arthur P. Bochner and Carolyn Ellis. (Walnut Creek, CA: AltaMira. 2002). 375-376

oil-changing establishment called Jiffy Lube. This part of town gets virtually no foot traffic but is next to a popular restaurant. The store had a large floor plan style that was split in half by the counter area, with gaming on the right as you walk in and comic books on the left. The store was well-lit but in theory, but it effectively became dimly lit because of the darkly-painted twenty-foot-high vaulted ceilings. The floor is smoothed concrete. While talking you would expect an echo, but the high ceilings prevent it. In the comic book retail community, fans seem to make much of the different types of stores. Stores fall into two categories: the well-lit and inviting but clinical and “Walmart”-type store, or the darkly-lit old “dungeon”-type bookstore that is uninviting but has its own charm.³⁷⁹ This store managed to strike a balance between the two, meaning that the customer service was really the main difference.³⁸⁰

They had set up the comic book signing on the right side of the counter. Greg Smallwood’s book, the main book of the signing, has a large pile. Another creator is showcasing is a comic book of an adult nature; as a result, there is a “nude variant” of each of the covers. I ribbed him a bit about “shilling porno to the kids” he replied in his very deliberately-public voice that, “children are not the intended audience of this comic,” and then under his breath told me that “this publisher’s checks cash just like any other.”

San Diego Comic-Con 2016

Another show I attended was THE show, San Diego Comic Con International. The travel time was long and signifiers of the convention’s presence became apparent from several miles

³⁷⁹ Evan Narcisse. “A Snapshot of How Comic Book Shops and Fandom Keep Changing Each Other.” *I09.gizmodo.com* Pub. Apr. 12, 2018. <https://io9.gizmodo.com/a-snapshot-of-how-comic-book-shops-and-fandom-keep-chan-1825205065>

³⁸⁰ Charles Pulliam-Moore. “I Hate Going Into Comic Stores.” *I09.gizmodo.com*. Pub. Mar 23, 2018. <https://io9.gizmodo.com/i-hate-going-into-comic-book-stores-1823932988>

away. The first sign of the convention was a streetcar with a wrap advertising the television show *Agents of SHIELD*. In driving up to the convention, the bumper stickers start to become more and more fandom-significant; symbols of factions from the Star Wars films, Superman “S” symbol-shields, “My Other Car Is a Tardis.” People were wearing t-shirts and badges affiliated with the contents of the show. As I inched closer through the warm San Diego, sun there were more and more people carrying bags stuffed with wares from the show even more than a mile out. As we drove around a bend, we noted that the multistory hotels were wrapped in advertisements for the television series “*The Strain*” and Conan O’Brian’s show. This is a great example of Salkowitz’s observation that comic book conventions are a madhouse that exists as convergence of different subcultures.³⁸¹ Fans gather at these conventions and can network with each other about things they like, sometimes while waiting in line for an autograph or a piece of cool memorabilia.³⁸²

I arrived on Thursday afternoon; the show had already been going for about 36 hours. The show officially starts on Thursday, but there is a “preview night” available for Wednesday. The thing about Comic-Con is that although there are “official” floor hours, for all intents and purposes, the show still goes on in the surrounding areas all day and night. As I pulled as close as the traffic constables would allow, there were literally thousands of people wrapped around the convention center. At the time, I assumed that these were people waiting to get into the show itself—but later I found out that this was all a single line for an event auditorium called “Hall H.”

³⁸¹ Rob Salkowitz. *Comic-Con and the Business of Pop Culture: What the World’s Wildest Trade Show Can Tell Us About the Future of Entertainment*. (New York: McGraw Hill. 2012). 4-7

³⁸² Regina C. Gasser. “What Are We Waiting For?: A Look at the Line Culture.” In *It Happened at Comic-Con: Ethnographic Essays on a Pop Culture Phenomenon*. Ed. By Ben Bowling and Matthew J. Smith. Jefferson, NC: McFarland and Co. 2014. 146.

Upon entering the convention center, I was immediately overtaken by the size of the venue. I knew that it was going to be big, but was not prepared for *this* big. For days after the event, people asked me how the con was and the first word I would say is, “big.” At one point, I called my wife from the convention floor and told her that the Warner Bros. booth was bigger than our house.

There were proximity badge sensors that use RF technology to “zap” people into the convention. There was also a show volunteer looking at the badges; perhaps they were checking authenticity? I had heard on the radio during the drive down that there was a black market for passes. There was also a convention center security guard overseeing several of the volunteers. Beyond that, there was another security checkpoint where they checked for weapons and wanded people down with metal detectors. These were lines that took about 10 minutes each; it seemed a bit much for me at the time, having just walked from my car a mile or more away in the July San Diego sun.

If you didn’t have your badge, they would have sent you a different entrance on the other side of the convention center, about a 20-minute walk from the front door. Thankfully, I had already received my badge in the mail months before and did not have to wait in line to pick it up. I found out on Sunday that I would have wasted several hours waiting in that line; my few minutes at the security checkpoint no longer seemed all that onerous.

One thing I attended was called “Suicide Squad: The Experience.” Warner Brothers took a part of the Hard Rock Hotel across from the convention center and converted it into what would appear to be a set from the upcoming movie. The event was supposed to be open until 7:00 p.m., but the attraction was popular enough that by 3:30 they had already capped the line and closed the floor for the Experience.

The main station in the middle looked like a bar that had t-shirts being given away in exchange for filling out a survey. Off to the left of that station was an etching machine that would etch names into a dog-tag or shot glass, pre-branded with the Suicide Squad logos. If you someone asked about the process, the people running the booth conveniently had a brochure and sales pitch ready. There was a station where someone could put in their name and take a short quiz and it would spit out a Suicide Squad codename and logo for you, intended to be shared on social media. The computers were brand new, and ones just like them were available for purchase if asked, but as I looked at the station, it occurred to me that children with grubby fingers would be the ones using it. Then I realized Suicide Squad would probably be rated R,³⁸³ and thus is not intended for children...then I looked at the line and saw several children in it. Another station was a virtual reality 3-D immersive experience of one of the scenes of the movie. This station was sponsored by Sony, who was selling the VR technology for their PS4. It was a straight-from-the-movie VR reenactment of a shoot-out scene.

I was taking notes and watching the proceedings, so there were a couple more stations I did not get to visit: one where you could get a photo of yourself in the prison from the movie, intended to sell a photo printer, and a tattoo parlor where there were temporary tattoos available. The idea that this living commercial for the movie was sponsored by these other companies and all disguised as being somewhat theme park like is fascinating. As we were there, I could not help but be reminded of a documentary Douglas Rushkoff made called “*The Persuaders*” which was about the difficulty advertisers when attempting to break through the clutter.³⁸⁴ In this

³⁸³ It is actually rated PG-13.

³⁸⁴ “Frontline: The Persuaders” Douglas Rushkoff. Boston: WGBH on PBS. Original air date: Nov. 9, 2004. <https://www.pbs.org/wgbh/pages/frontline/shows/persuaders/>

documentary, he described being invited to parties that were actually fronts for advertising new products.

As I went back across the street and started to walk around the show floor, it occurred to me that only about 2/3rds of the people I observed had badges that they would have paid full-price for. Many more people's badges than one might expect were those classified as "Talent," "Retailer," "Media," "Volunteer," etc.: that is, unpaid badges. Kind of a bit of whiplash from the "black market" for passes I heard about on the radio on the way to the show.

There was an outdoor terrace on the site as consisting of 184,500 square feet. This area was encompassed by Cartoon Network, FX and something called "Comic Con HQ," which was a live internet stream of the convention. This area was also where hundreds of people enjoyed the San Diego pier while waiting in line for Hall H events. Hall H is the large auditorium that held the more "mediaesque" events; I learned while at the convention that this line worked in such a way that in order to get into most of these events, a conventioner would have to wait in line for a wristband—sometimes 24 hours in advance of the event.

According to [Visitsandiego.com](https://visitsandiego.com), the official website for the convention center, the main exhibit space for the ground floor of the San Diego Convention Center is a contiguous 525,701 square feet.³⁸⁵ For the purposes of comparison, an American football field including end zones is 57,600 square feet. This space does *not* include the almost 300,000 square foot pre-function, lobby, and registration area. Additionally, there was another 90,000 square feet on the upper floor which, for SDCC, acted mainly as the staging area and cafeteria. Because I had an unusual badge, I did not even discover this area until the final day of the convention.

³⁸⁵ San Diego Convention Center Corporation. "Building Overview - Floor Plans & Specs | San Diego Convention Center". *Visitsandiego.Com*. Accessed January 24 2018. <https://visitsandiego.com/facility/floor-plans-specs/building-overview>

Finally, the convention center lists 72 meeting rooms which account for another 204,114 square feet, including two ballrooms that total 80,706 square feet. Many of these meeting rooms were combined. The primary function of these meeting rooms during the con was to hold meetings, usually called “panels,” for various niche topics. The conference rooms at conventions can range from hosted talks on topics to roundtables with audiences and press meetings. I did not spend much time in these rooms at the convention; I attended 3 panels: “30 years of *Heavy Metal*,” “The Psychology of Marvel TV,” and “The Annual Retailer Lunch: Hosted by Diamond Comics.” The *Heavy Metal* panel was initially much emptier than I expected, with maybe 50 filled chairs in a 300-seat meeting room. The meeting did take place after the main convention hours; however, *Heavy Metal* has been an influential comics magazine to a great many creators. I had expected more people to attend. However, as the panel got going, word got out that internationally-famous comic creator Grant Morrison had attended the panel; because of this, by the time the panel was over the room had become standing room only. The crowd was drawn to the celebrity rather than to the influence of the magazine. The convention in general often acted as one big beacon of spectacle in this way.

The second event I attended was a “psychology of Marvel TV” panel, which included writers from several of the Marvel TV shows including *Agents of SHIELD*, *Daredevil* and *Jessica Jones*, among others. The third event was a retailer luncheon. This was actually a “secret event” not on a schedule; open only to people within the retail community, including a guest list and entry fee. As a former employee of a retailer, I was able to attend as long as I paid the fee. I had very high hopes that this event would open my eyes to how comics retailing is done. What the event actually turned out being was a two-hour sales pitch for upcoming books and new products with a few announcements sprinkled in. The pitch was followed by an hour-long

“Q&A,” which acted more as a retailer –led “airing of grievances,” which led to the representatives for the publisher doing their best to talk around the problems.

Sager wrote that comic book fans are closer than perhaps any other major fandom to the creators of their creation. Since those fans are closer, they often change the direction of story.³⁸⁶ In one instance, Sager related that at Comic-Con, he overheard an attendee going to a panel to “make his voice heard.”³⁸⁷ I felt like this was especially apropos when I witnessed these panels.

One of my pet peeves of the show was the “yellow shirts” asking people to “move along.” On Thursday they were largely invisible, then they were more noticeable on Friday, and by Saturday were in full-force. The “yellow shirt” title comes from the bright yellow shirts they were wearing with a forgettable “three-letter-acronym Security Solutions” initialism on it. At one point, I stopped on the floor to hear the Marvel booth announce the villains for their upcoming film slate. One of these security guards came to me and told me to “keep traffic moving” and I replied, “yes, but I want to hear this.” To which he replied, “can’t do. Move it along.” I asked rhetorically, while I stalled to hear the announcement I wanted to hear, “how is it that you create spectacle and don’t expect people to spectate?” He looked at me sort-of sideways and said, “look, just move along.” Having said that, traffic control in this setting is indeed quite necessary, as there are a hundred thousand people passing through the show floor every day.

One of the regular topics of discussion among convention goers was terrorism. There was a perception that, while there were no specific threats, any large gathering of people of this magnitude was considered a “soft target,” meaning that there is a potential for a large amount of

³⁸⁶ Christian Sager. “Tense Proximities Between CCI’s Comic Book Consumers, Fans, and Creators.” *In It Happened at Comic-Con: Ethnographic Essays on a Pop Culture Phenomenon*. Ed. By Ben Bowling and Matthew J. Smith. (Jefferson, NC: McFarland and Co. 2014). 154

³⁸⁷ Ibid 167

damage with a small amount of security. In 2016, SDCC was concerned enough about security to place snipers on the roofs of surrounding hotels.³⁸⁸ There had been a few mass shootings in the months and days leading up to the convention and a threat against a comic book convention in Arizona. In going over the details of these conventions, there are many people in costume and considering there were few metal detectors onsite, there was very little to stop a “nut job” from coming in; thankfully in our time there, this did not present itself as an issue. However, security was ever-present during the show.

I also attended a Saturday night creator party at the Hilton’s second floor. Although I had heard it called “the Dark Horse party,” it did not seem to be exclusive to people who had anything to do with Dark Horse; people from several companies were in attendance. The bar itself had a big bar in the middle of a big room surrounded on one side by glass windows and balconies and which on the other included several alcoves that sat 4-to-6 people. People at this party were dressed to impress and the normal “nerd uniform” was classed up a bit: still wearing superhero shirts, but more chic (now with a suit jacket over them).

At first, I thought this would be a good opportunity to approach people to talk to them about their experiences. After talking to a couple people who asked me who I was and what I did, they invariably quickly-but-politely extricated themselves. I realized what this party really was: to many people in attendance, the party was primarily a networking opportunity which would hopefully lead to getting work; work I could not offer. This party was that a party, yes, but it was also a pitching opportunity for many of these people.

³⁸⁸ Libby Hill. “San Diego Police Department sniper monitors Comic-Con.” *Los Angeles Times* (Los Angeles. Pub. Jul.21, 2016). <http://www.latimes.com/entertainment/la-et-hc-comic-con-updates-san-diego-police-department-sniper-1469125823-htmlstory.html>

Once I realized what was really happening for some of the attendees, I took the opportunity to people-watch. As I walked around, several people tried to catch my glance and figure out if they recognized me; obviously, they would not. At some points, considering this was a party about pitching deals and opening deals and closing deals, I wished I'd worn a shirt that said, "I'm nobody. Ignore me." I am not sure whether it would have made me more or less noticeable. I likely didn't seem out of place; I wore the right uniform (button-up shirt) and was the right age (30s) and build (stout) to be an editor at a comic book company. Even in this social space, away from the show floor, the art of the commodity was not left behind: creators and editors trying to sell their wares and potentially recruit new talent.

There was a gentleman at the far end from the entrance at a large table holding court. I did not immediately recognize him, but he had quite a line around his table. I walked past and caught a quick glance at his name badge: "Talent: Jamie S. Rich." I did not recognize his face but did recognize his name. Mr. Rich had earlier that year taken over a senior editor position at Vertigo Comics. Familiar with his earlier work and his long-running internet column, I was curious as to what he was saying to hold the crowd's attention.

I found an empty seat and sat down to take some notes. As I took out a notebook and was taking these notes, comically, I did not realize that this had put me in a position where people assumed I was a writer. I found that I was sitting at a table with several people from various lower editorial positions at some companies, including Dark Horse Comics, who were scouting for talent and were curious about what I was writing. I exchanged pleasantries and explained who I was and what I was doing there; several of these people were puzzled and lost interest. No one wanted to go on the record, but they were nice enough to give me some leads.³⁸⁹

³⁸⁹ Leads that never went anywhere, but the offer was nice, nevertheless.

By Sunday, I had gone into full sensory overload at the convention; I spent some time walking the show floor, but spent most of the afternoon watching cable television in the hotel room. It was nice to just a single brightly-colored object to focus on for a few hours. In his study of the San Diego Comic-Con, Rob Salkowitz describes the scene at SDCC as the old metaphor of blind men describing an elephant. The enormity of the event is just *that* big and chaotic.³⁹⁰

Not all was chaos at the event. Even with over 150,000 attendees, I managed to run into two people I knew who I did not know was there. First, while digging through back-issue bins, I ran into one the customers at the shop I used to work at who was there with one of my former co-workers.³⁹¹ Second, in the lobby area on the second day I ran into one of my former academic book editors. I am not certain whether this implies that there is a larger subcultural statement that exists that causes encounters can exist, or whether because of the law of averages the amount of people at this event simply makes it a statistical certainty, or perhaps even whether this is simply a coincidence borne of similar interests.

WizardWorld Tulsa 2016.

The next show was a mid-sized convention, Wizard World Tulsa, in late October 2016. This convention is a part of the WizardWorld circuit of shows. WizardWorld, which started as a magazine and comic book price guide, puts on approximately ten conventions a year in various cities around the United States. There were rumblings in the background of comic fandom that

³⁹⁰ Salkowitz, Rob. *Comic-Con and the Business of Pop Culture*. 14.

³⁹¹ This encounter might seem odd to those who aren't familiar with comic store dynamics. Comic stores exist in a funny place where the customer base and the employees of the comic shop are much closer than other commercial institutions. (More on this in a possible future project.) There are several reasons for this; similar interest spectrums often lead to long discussions about sometimes-esoteric things, running into customers at events, and sometimes friendship outside the confines of commerce. Further, many shops offer hold files, pull files, or subscription services for their customers. This leads to counter people learning customer names, automatically building a sense of familiarity and rapport.

the parent company of WizardWorld was in trouble.³⁹² The average show-goer they might not be able to tell. But to retailers, exhibitors, and people who go to shows regularly, there was some writing on the wall; particularly with regards to attendance numbers.³⁹³

The show floor itself was not actually all that busy compared to some shows I've both attended and worked. In my years going to conventions, I created a system to gauge the busyness of shows relative to whether or not I can skip down the aisle or twirl in a circle with my arms out. This show I could absolutely spin and dance in the aisles.

I was greeted at the show by a metal detector and quite a bit of security. I always forget that I keep a small pocket knife on my key ring, ironically primarily used to cut open the weekly Diamond shipment of comic boxes for my part-time job at a comic store. They requested I either take it back to my car or throw it away. I took it back to my car and waited in the line again. After finally being given access, I headed into the proper area of the show. This sort of security is significantly tighter than last few comic shows I had been to. It's inconvenient, but unfortunately necessary; a few months after this comic convention, someone dressed up as a comic book character (The Punisher) was arrested after he was found to have several actual weapons and intended to attack Jason David Frank, one of the actors from the Power Rangers

³⁹² Rob Salkowitz. "Do Changes At Wizard World Signal Trouble For The Fan Convention Business?". *Forbes.Com*. Published: Apr. 28, 2016. <https://www.forbes.com/sites/robsalkowitz/2016/04/28/does-a-change-at-wizard-world-signal-trouble-for-the-fan-convention-business/#2a1a5d0a1a45>.

³⁹³ Heidi MacDonald. "Wizard World Profits Are Falling, 'Substantial Doubt' About Future". *The Beat*. Pub: Nov 15, 2017. <http://www.comicsbeat.com/wizard-world-profits-are-falling-substantial-doubt-about-future/>.

Arrant, Chris. "WIZARD WORLD Warns Of 'Substantial Doubt' Of It Continuing Into 2019". *Newsarama*. Accessed Nov. 15, 2017. <https://www.newsarama.com/37365-wizard-world-warns-of-substantial-doubt-of-it-continuing-into-2019.html>.

TV show.³⁹⁴ Since that time, comic book conventions have tightened their already-stringent security measures.³⁹⁵ These are high-stakes events. None of these convention promoters want to become famous for being “the show where all those famous people got killed that time.” Frankly, when considering the nerdy subculture from the outside, any weird kid could be the outsider that decides to make his statement with violence.

This particular show was not as stratified as most shows that have divisions between the celebrities, exhibitions, artist alley and retailer areas. The celebrities had their own corner, but all of the rest was intermingled. There were costume equipment sellers next to a booth that sold sugar gliders (a tiny marsupial); across from them were famous cars from television shows such as KITT from Knight Rider and The Ghostbusters Car; conveniently, a small booth next to them sold replica license plates from those shows. This sort of layout is a testament to the diversity of the modern comic book convention, these exhibitions having very little to do with comic books at all.

Temporality and Environment

I wanted to understand how these creators approach their day, and to get at what working conditions were like for them. I approached this question by asking them about what they did on a “day in the life.” Playing against creative stereotypes as well as my own lack of discipline that I tend to ascribe to others, I found to my surprise that more than half of the creative people I interviewed had a very regimented daily schedule. Take, for example, creator J.R. Mounts, who

³⁹⁴ Clearly, the perpetrator hadn’t thought through attacking a guy who made his living as someone who does self-defense and martial arts moves for a living.

³⁹⁵ Nicole Soban. “Phoenix Comic-Con’s Armed Attendee Wanted to Attack Green Power Ranger.” Comic Book Resources. Pub. May 27, 2017. [Http://www.cbr.com/phoenix-comiccon-green-power-ranger/](http://www.cbr.com/phoenix-comiccon-green-power-ranger/)

writes and draws several of his own books; this is how he describes his personal example of what I heard quite often from the full-time creators as description of a typical day. “I get up at 5:30 in the morning with my wife, who works at 6. I feed the cats and make her coffee. Then my wife leaves for work. I’ll take blank paper and put it on the ground and start drawing. I don’t stop ‘til she gets home at seven [o’clock].” As that is a 12-hour day, I asked how he keeps up the pace; he describes a process wherein he is multitasking among his various projects. “I’m usually switching off between things; I’ll work on the pickle book and switch to working on *Scairy Tales*. When I’m done, then I’ll switch to something else, to get to something original and get out of my own head, try something different.” Despite that long day at the drawing board, the creativity doesn’t turn off: “I carry a recorder with me. So that if I have an idea, I can get it.” Freelance artist and writer David Finch described what I found of many of these creators used: a split or broken up schedule. “I wake up at 8, spend some time with kids. At 9 o’clock it’s off to the gym. Get home at 10:30, work ‘til 4. Generally, I’ll lay out the page in the morning and do it in the afternoon. Most of the time I don’t finish. So the kids come home from school, we eat dinner. At 7:30 I finish what I didn’t, ideally work ‘til 10 but it might be 2 am, depending.” Although his time is split up rather than one single segment, what Finch describes is a 10-to-12-hour workday as well. As most monthly comics are 20-to-22 pages, this is a five-days-a-week schedule. That means that these creators are working 50-to-60-hour weeks.

Particularly notable is the fact that these long working hours reflect schedules that most Americans with single jobs have not seen since the early 20th century.³⁹⁶ Stephen Hill states that taking strings of low-paying micro-gig jobs looks an “awful lot” like the pre-New Deal economy

³⁹⁶ David George Surdam. *Century of the Leisured Masses*. (New York: Oxford UP. 2015). 46-47.

that offered little empowerment to workers.³⁹⁷ Something additional to keep in mind is that I asked these creators about their typical day, not about an “extraordinary” day; in the passages above and below, these workers are explaining what their “normal” is. I have heard stories such as Matthew Clark’s relation of a time when he spent 36 hours straight finishing pages for an issue before an important deadline.³⁹⁸ David Hesmondhalgh and Sarah Baker found in their study that 38% of the creative people interviewed regularly worked 10 hours or more.³⁹⁹ Stahl writes that people in the creative industries can work in whatever conditions they desire precisely because of their independent contractor status. Additionally, the employers are not subject to worker protection laws or regulations because the creative workers act as entrepreneurs, are their own employees, and thus can make whatever deals they wish.⁴⁰⁰ Andrew Ross also spoke about these seemingly flexible workplaces in his book *No Collar*. He described this “freedom” as, in reality, creating situations where people were working more than they would have in a more regimented work environment due to the blurring of the line between work and not-work.⁴⁰¹ because freelancers are in constant competition with one another, these conditions end up manifesting themselves as a race to work harder, cheaper or faster than one’s colleagues, which in turn creates these largely unsustainable work schedules wherein other things are continuously sacrificed in favor of the “next job,” during which they will attempt to work even harder, cheaper, or faster than their competition, and on and on and on. So, it goes.

³⁹⁷ Stephen Hill, *Raw Deal: How the "Uber Economy" and Runaway Capitalism Are Screwing American Workers*. (New York: St. Martin's Griffin. 2017). p.11

³⁹⁸ Siuntres, John. “Podcast: Word Balloon: Matthew Clark: A Freelance Life Doom Patrol, Superman, Felon, Outsiders & more.” *Word Balloon*. (Podcast Audio. Mar. 14, 2018. TI: 12:00) <https://player.fm/series/word-balloon-the-comic-book-creators-interview-show/mathew-clark-a-freelance-life-doom-patrol-superman-felon-outsiders-more/>

³⁹⁹ Hesmondhalgh, David and Sarah Baker. *Creative Labor*. 116

⁴⁰⁰ Stahl, Matt. *Unfree Masters*. 184.

⁴⁰¹ Ross, Andrew. *No Collar*.

As would be expected, the typical daily schedule was different for the people I interviewed depending on whether they had day jobs and were part-time comic creators, or were people who created as a full-time job. Several people told me that in order to be a comic creator full-time, the schedule necessitated a self-imposed regimen of some sort. When I pressed David Finch about how his schedule sounded intense, he said, “This is just my schedule. There are people who get away with not having a schedule. I think those are people who don't do a lot of work or have real commitment. The whole job is like homework and you have to be on top of it. A book like *Batman*, it has to come out. If you don't keep on it, they will be forced to find someone else.” This sort of regimented schedule is actually fairly common in the creative industries because it creates a rhythm out of the potential chaos; “conception, execution, and finishing”; which in turn creates immediate rewards.⁴⁰² Although many artists in the comic book industry describe themselves as “full-time” they do nevertheless remain freelance, which means that they are still not necessarily steadily employed.

Artist Greg Smallwood relates much of the same when it comes to his own work: “I usually work 8 or 10 hours a day. This is where the discipline comes in.” He expresses the solitude and loneliness of the job and as well as that other people do not perceive what he does as “work” in the traditional sense, because he works from his home studio. “No one will understand you have to be home a lot. You have to be strict about it. Your concentration needs to be focused. People will sometimes be hurt. It's a habit like any other, though.” One of the choices he made to help him become more focused was to switch from being a part-time creator to being a full-time creator. Smallwood feels that the switch to full-time has benefitted him. “I've been a full-time artist for 4 years. I've been trying to get faster so that I can get more free time. Keep

⁴⁰² Hesmondhalgh, David and Sarah Baker. *Creative Labour*:. 135.

working faster. I am finally a monthly artist.” Crossing the threshold into being a “monthly artist” is a big deal; “monthly artist” in the industry is a term that means that individual can finish the art on a book him or herself without needing a fill-in every few months to let them catch up. Beyond just the workflow reasons, emotional reasons, or aesthetic reasons why an artist might appreciate reaching this milestone, it also means that there is no break in cash flow; this can make a big difference to a freelancer, who may otherwise be forced to regularly experience large gaps between paychecks.

I asked Smallwood how he sped up his workflow. He described his process as “more logical.” He describes it in depth:

So I break it down systematically, I do thumbnails and layouts the first week. When line art is done I go in and do one thing at a time, go do all of one character's faces, then I do another character's face, then I do all of any particular background, then do another background. This really helps my inertia. I think every artist encounters this problem of transitioning from job to job. Face to background is a shift. Doing it my way allows me to warm up and stay focused on one task and I can fly. Same with figures, same with backgrounds. I save backgrounds for last. They can seem daunting when it's all this space, but if you've done the figures first it doesn't seem as much, just a little space around them. The way I do it I don't have to build as much of a reference sheet because I realize I may not need it, so it need not psych me out. It's a systematic process, like an assembly line. Since I do the whole process, I can be a one-man assembly line.

Smallwood's description of the one-man assembly line process makes his work invaluable to a potential publisher because they do not have to pay several people to do each of these different tasks. Because he can sketch, pencil, ink, letter and color all on his own, the process is sped up and made much more efficient. Perhaps the fact that one man is functioning as every step of the assembly line also helps to place his work on the spectrum closer to art than assembly.

Interestingly, when I asked these creators whether comics were their full-time job, many of my interviewees said yes; but many of these same people also said that they do other freelance work such as portraits or writing gigs as side jobs. For example, creator Ali Cantarella said that

while comics are her full-time job, her cash flow does not derive entirely from comics alone.

“Not just comics; I do conventions. I do commissions, private art, watercolor portraits of people's pets, things like that. I work for bigger clients for illustration work. I sell my work on several print-on-demand sites. All the revenue sources trickle together into one big supportive career.”

Her struggle to make ends meet across many spectrums was not uncommon among the creators I spoke with. In *Creative Labour*, Hesmondhalgh and Baker discovered that in creative fields, many people spread risk and supplement income by working for multiple clients.⁴⁰³ This is also common in other areas of the freelance world; in his text, Daniel Pink describes this by saying that all kinds of freelancers mitigate risk by diversifying across several clients and projects.⁴⁰⁴

Artist Ashley Witter also cobbles together several things: “my secure paycheck comes from Marvel, but I have to do a lot a freelance to make ends meet. After I got work at Marvel, things became a bit more secure. I still have to do a lot of freelance. It's really feast or famine, sometimes there no money and no work.” I asked her whether she was in a position to say no to work; she replied, “Now I can. I didn't used to. Now I do things I feel will pay off if I just work at it. Now it's gotten to the point where I have to pay attention to the money and time something takes.” The reason why this question is important to freelancers is because saying no to work also means saying no to a potential paycheck. For so many freelancers, there is no guarantee of work after the current the job and as such, turning down work is extraordinarily difficult. However, Witter described another important freelance threshold: looking at the pay/time involved and determining whether it's worth taking the job now at the potential cost of possibly missing a better opportunity later.

⁴⁰³ Hesmondhalgh, David and Sarah Baker. *Creative Labour*. 118

⁴⁰⁴ Daniel Pink. *Free Agent Nation: How America's New Independent Workers are Transforming the Way We Live*. (New York: Werner Books. 2001).

Besides merely piecing together several clients, some creators also choose to piece together several jobs. Even though many creators I spoke to were part-time, most of these part-timers also indicated that they have another job within the creative industry. Additionally, only a few people who identified as part-timers in the comics industry, of those who identified their job at all, revealed that their other job was something non-creative (accounting work, clerical work, selling things on eBay). In other words, I discovered that most people who do comics like to do something else creative as well, making the line between these two jobs a little blurry. Also, of note: when I asked about the full-time work, many of my interviewees said without prompting that their family situation allows them to be in comics, indicating that without spousal support these people could not make it full-time in comic books.

Status and Opportunities

Most of the people with whom I spoke were those who self-identified as working in comics part-time. There was a high correlation between people who worked on comic books part-time and those who were mostly self-published. They seemed to approach comics work as secondary to their primary work. *The Complete Idiot's Guide to Creating a Graphic Novel*, a self-help primer on how to make comic books, tells potential creators that art does not necessarily pay the bills when it comes to making comics and that most artists make money by doing other things in addition to comics work.⁴⁰⁵ Independent creator K.J. Kaminski describes his work: "I go back and forth a lot, I have so many hats. I do so much that each day is different. I start the day with e-mail, ship some packages, write, then letter the issue, then I'll follow up on art corrections. It's exhausting but very rewarding. I don't think you could work 14 hours without

⁴⁰⁵ Gertler, Nat and Steve Lieber. *The Complete Idiots Guide to Creating a Graphic Novel*. (New York: Alpha/Penguin. 2004). 17.

loving it.” Even part-time in comics can still feel like full-time. Writer Patrick Trahey described his day by saying that he works his 9-5 job and spends a lot of time after work updating social media about the comics; so much so that he discovered while promoting his book to retailers that Facebook has a daily message limit. After that, he spends some time pitching projects or writing before ending his day. When asked about the idea of making this his full-time job, he says, “My dream would be to be able to pay my bills from selling my book.”

I asked one writer about doing comic book conventions. He said that as a comic book writer, he cannot solicit commissions in the same way as artists. As a result, he asks for things to be paid for him to come to the show: travel, hotel, food while on the show floor, and not being charged for his table.⁴⁰⁶ As a part of this contract, he requests an extra night’s stay at the hotel on one end of the show: “I’m not driving into the show the morning it starts and driving out the day it’s over to save the promoters \$50. I’ll drive in at my leisure and not die on the road to save them \$50.” Status is huge these creators as well, so much so that the writer I spoke to requests the show promoter let him pick the location of his table; he wants to pick a location close to those he feels are equal to him. His peers. He really doesn’t want to get stuck sandwiched between a “[fan artist’s] print wall and Legend of Zelda quilt makers.” The quilt makers have little to do with what he does, and he doesn’t see the fan art print wall people as his peers because “I hate that there are guys with a wall of prints. He has never sold a piece of professional art to WB or Marvel. That guy is using all those characters but has no professional credit to those characters,

⁴⁰⁶ I found out from some of my friends who handle these sorts of shows that people listed as “guests” generally get a flat stipend and rider of some kind so that they do not have to micromanage expenses by keeping receipts, etc.

reasonably, to put him in that place. Next to him is *my* work that has been bought and vetted by Disney, Marvel, WB, right down the line. That guy is seen as an equal to me. When, in fact, he's a garbage man." As an artist selling commissions Jon LaMantia he sees it a little different. "I don't fault people for doing fanart because it pays. It is really a difficult sell when you are working with original concepts and characters. Fan art, that's the money. [They are] easy for people to recognize. I have fan art. I don't do a lot. However, people do respond it."

For people who make their living off of comic book conventions, the view from many is that people like print sellers who had nothing to do with the property from which they are selling art are acting as a drain on the economy of the show, taking in money that could be used to purchase legitimate goods from vetted creators.

The status comes with hard work and hustle. Jamie Premeck sees herself on somewhere in the middle on this status hierarchy and that hierarchy is important to continued work. "It's how the world is these days. They expect you will make more money for them if you are already a name. I don't know this for a fact. I've heard that juried conventions they look at your Instagram follower count. That's something to take into consideration. I don't have the kind of ego that would put myself in front of Image [Comics]. I admire people who do it, That's a few years away for me." However, there is not just status, there is also privilege. Jon LaMantia noted, "Working in comics any amount of time you'll know that there is a privilege to it. Most of what I've accomplished has been because of my privileged position. Incredibly privileged.

Throughout all these ideas of who gets into a show and who goes in front of publishers is the idea of status. Status is important the people in this position because there is a difference between vetted art and craft; this creates a stratification right down to the show floor space and nametags. That difference shows between who has an "exhibiter" nametag as an invited guest,

with things that are paid for, and who gets set up on the back end as a “creator” or “artist” nametag who paid for their table.

There is a certain amount of positioning elsewhere in this hierarchy, as well, in people being able to make all their money off shows or if there are other sources of income. Travis McIntire, who the editor-in-chief of a publishing house, said that comic books *could* be his day job, but his existing day job as a research scientist makes him enough money to support both the company as well as his family without having to worry whether the comic books are going to turn a profit. Of working full-time he says, “Another advantage we have is that I can make choices in this company without thinking about how much money I think it’s going to make or anything like that. I don’t depend on the comics to pay for my house or any of that.” In speaking with him, I noted that he has a lot on his plate; little kids, full-time work, and a comics company. To that, he responded that he is successful because he has great time management skills, which he says is an important skill for an editor. “Time management is the only thing I’m really good at; being disciplined. If a thing you need requires genius-level talent, I’m not your guy. If the thing you need to do is to grind through and get through and get it done, I’m your guy. That skillset really works for this. Keep your head down. Grind, grind, grind. Build, build, build.” He implied that the full-time and part-time schedules combined along with his heavy convention schedule became a strain on his family at one point; as a result, he has since been able to delegate some of his tasks and attend fewer conventions. “I made it easier this year. March through May, September and October are heavy. I told my wife by 2019 the company will either fail or I’ll have it down to one show a month. I want to go to the local ones, and the ones it makes sense for me to be at; NYCC, San Diego, places like that.” Delegating some of his tasks, McIntire says, has helped him make time for family and work balance. “My day starts at 6; after my day at

work, which is pretty chill, I come home around 3. We'll do dinner together when my wife gets home, I'll start working on comic stuff while my wife futzes with the kids. 8:30 or so we do the bed-time ritual which can be easy or a nightmare. Once that ends, I'll work from 11 to midnight."

Working on things beyond just comics helps these creators have a steady paycheck. However, there are other benefits; artist Buster Moody, who recently started a family and needed the steady paycheck, said that the only reason he can be choosy about comic books projects is that comics are not his primary job. He feels this makes his comic book work as painless as possible. This mood is somewhat echoed by artist Kevin Mellon, who feels that having a full-time job as a storyboard artist allows him the opportunity to work on comics at his own pace *which he admits, unfortunately, isn't very often). He says that with comics, "That's what I want to do and no one tells me what to do." I followed up by asking how many hours a week his full-time work takes up; "Storyboarding is 40-to-60 hours a week on the cartoons. I can pick up another 10-to-40 hours on live action." Working in two creative fields with flexible hours can be taxing. In some ways, the labor system described here is wrapped up within the institutions of social class. These creators are wealthy enough to create, but not independently wealthy enough to dive into creation full-time; a common thread among creative laborers.⁴⁰⁷

In addition to the people who juggle other work with comics, I also approached those who work as creators in the industry full-time. I let them tell me whether they considered comic books to be full-time work; I tended to receive one of two answers. The first answer came from creators who make a conscious effort to pursue comic books as a full-time job and focus on making, promoting, and/or selling their book on their own. The second came from creators who are in comic books full-time by default, simply by virtue of their not having other work or

⁴⁰⁷ Hesmondhalgh, David and Sarah Baker. *Creative Labor*. 67-71

another job. The people who work on comic books full-time are either exclusive with a company (under contract) or freelance. Becoming “exclusive” is considered a pinnacle of the career, and it rarely happens unless a publisher is concerned about another publisher poaching particular employees. The vast majority of people in this industry are freelance. Among those I spoke with, in many cases it sounded as if these freelance workers by-and-large are still supported financially by other means, whether it be other freelance work or family/spousal support. Creator J.R. Mounts said something I heard both on and off the record several times during my interviews: “I love the idea of always creating. I feel that's what we as artists were put here to do: create. I would create even if I had to have a full-time job again. I was doing it part-time before. I would continue to create.” Of his choice to make the jump to full-time, he says, “Before I was writing comics, I was at a job I hated and things at work always seemed to get worse and worse.” Of life after making the jump, he added, “None of this could have happened without taking that first step 8 years ago to do something different. I just started drawing 8 years ago, but I've been a musician and storyteller for years. I want to do something different, so I add music to the comics. I hope to leave my mark someday.”

In some ways, the day of a creator in the imagination of a fan and the reality of that day could not be any more different. In a text about creating, Tom Brevoort, Senior Editor at Marvel Comics, wrote, “I think there is a misunderstanding about the work habits of artists doing comics...The typical picture one gets is of a guy who eats up tons of time playing video games, and only works when he has to. And that may be the case in some instances, but it isn't the norm.”⁴⁰⁸ In a similar vein, artist Jamie Primack said that she works as a creator full-time

⁴⁰⁸ Shirrel Rhoades. *Comic Books: How the Industry Works*. (New York: Peter Lang. 2008). 138

because she couldn't keep her day job; the demands of art school forced her to quit, but in the end she feels that it made her a better artist:

I wake up and start working; it's a little crazy sometimes. My roommates have day jobs, they will leave and I'm working, then they come home and I'm still working, sometimes I'll work thorough night. I don't sleep much. My roommates make sure to drag me away every so often too; they're like, 'play video games with us because you need human interaction.' They make me go out to the pub. I work constantly.

She went on to say that without those forced interactions, her art would likely suffer in the long term.

For Greg Smallwood, beyond just the increase in speed mentioned earlier, he added that allowing him to be a full-time artist made him a better artist for other reasons. "A good reason is to understand the way something in the world works. For example, learned how to play poker because to draw it, I needed to know how poker works for like four pages. But that detail does matter ... If we as artists didn't have the option of full-time work, how we could spend extra time on that?" He went on to say that he understands now why sometimes filmmakers spend extra time on making sure that scenes are authentic and well-done: because he felt that, while many people would not understand or care whether his depiction of poker was incorrect, to someone who knew what they were looking at, they would be broken out of the story immediately if either he or a moviemaker had settled for "good enough" or just faked it for that scene.

Between commissions, creating constantly, and doing conventions, creators naturally keep busy all the time. When I asked about how she keeps up with it all, Sara Rude-McCune responded, "I spend from 9 or 10 'til about 5:30 when I'm mentally done for the day, only taking breaks to feed the cat or grab lunch. I always feel I don't work enough. What are the real hours I should be working? I'm not even sure. It's the rhythm that works for me, at least the last year and a half." She replied to her own thought by saying, "I think a lot of people have this guilt, they

feel they have to produce all the time. This is where you get these people who work from 8am to midnight. Constantly. I don't have the stamina, but I still have the guilt when I don't. It's hard to take time off for myself, even when it's exercising, things that I know are good for me.” She said that before she quit her day job, she tried to shoehorn commissions in where she could and work on them simultaneously while trying to work in comics. “You build the audience over time. You have to have a large volume of work before anything starts to happen. [It was frustrating] trying to balance the fact that I have to work to eat and want to put out more content to draw in more fans and customers.” She was thankful that she could finally take the leap to full-time. “To be honest, I was very lucky. I have a husband who puts his degree to use in an office job. He can support both of us. If he didn't, I would still be working my day job. It's been a big journey looking for gigs and soliciting commissions.” His full-time job allows her the opportunity to create and do all the extra work that comes with being a creator while not worrying so much about rent and other expenses.

Sometimes, it is easier for a creator to strike a balance. Gabby Rivera describes her typical day in the “life”:

A day in the ‘life’? I wake up every morning, I make Cafacitos so I brew my coffee; usually espresso; on the stove. Once it boils, I add my milk, my cinnamon and my sugar. That is the start of my day. It is delicious. I make sure that I breathe. I read tarot decks, right? There is an artist, graphic novelist and punk singer: Christie Rhode. She did the cover of *Juliet Takes a Breath*, and she also has comic, a tarot deck called *Next World Tarot*. It is incredible. It's all hand-crafted, and it's queer and it's beautiful. So I do that. I email, I write, I write on the walls. I write all my ideas on the walls. I try to eat. I call my mom.

For Rivera, she tries to build in a balance between work and “other,” but also between work and self-care

When describing a typical day, what type of creator you are makes a difference. For example, Thom Zahler, who is also a “one man band” who can work on most parts of a comic by

himself, also spends most of the day creating. He says it helps him to have a rhythm by doing certain things at certain times of day: “I draw better later in the day. It's easier for me to design on the weekend, because the phone doesn't ring. Lettering I like in the mornings because I ramp up to it.” He says that this type of discipline was instilled in him when he was part time: “I'd draw after work. It conditioned me to draw at night.” Another thing that Zahler described was how different spaces affect his output. “When I write, I write at Panera. In my experience you're forcing yourself to drive, and you're buying lunch: you better start typing before you leave.” He further elaborates that he learned some tricks about space back at comic art school: “At Kubert [art school], they taught us: when you are working at your table, don't do anything else; don't eat, don't read, just draw.” He adds that he designed his entire house based on that theory. “The rest of the house is carpet and painted walls. However, my studio is hardwood; natural textures; because the room is designed to be different than anywhere else in the house, and it will click me into work mode.”

Compare these very disciplined techniques to the self-reported habits of writer B. Clay Moore. He relates that for him, there's no such thing as a typical day:

Just depends on what I'm working on. If I have something on deadline, it wraps more quickly. I have a tendency to sit on things and stew for a while. I'll think about it for weeks. I need that gestation period. The writing process then goes pretty quick. Most work for hire, 20-to-22 pages, I can write that in a day. But I've sat and thought about it, processed it, outlined it for days. I've spent a lot of time thinking. Not even making notes. I have trouble. I don't have focus. Jumping around all over the place. If I wasn't completely invested, I was gone. When I get focused, I do everything in my power to not lose that focus. My wife doesn't understand why I cannot just sit down and do it. She also doesn't understand that if I'm sitting like this and close to where I want to be, if the door swings open and people need stuff, it's two hours of my life gone just like that.

Kyle Starks, another creator who tries to keep a rhythm and manages to keep busy writing between traveling and going to conventions, says of the job:

As of two years ago, I went full-time. Having *Rick and Morty* doesn't hurt. Having 5 books in circulation. I keep on that hustle. Last year I drew 11 issues of comics, I wrote 19 issues, I had a 200-page trade. If you aren't a name, that's what you gotta do. I would love to have time to do another series, but I also gotta ride this *Rick and Morty* train while it exists. It's a property I like, probably the most popular thing in America right now. I make more money from *Rick and Morty* at conventions than I do making *Rick and Morty*. Considerably more. As long as the bubble exists and I'm in it, I'm a fool to not take advantage. I did 30 shows last year. A lot of time on airplanes. I did 30 shows last year because that's my job. I asked another popular creator which show they were doing next. He said, "None. I'm not taking my jellies to the fair anymore." I wish I was making enough that I didn't feel I have to do these. I don't. I could get by without it. It's a lot of money and all I have to do is sit here and talk to people. I have to draw things like a little circus act. I can freehand all of it. It's a special moment if I take a pencil out. Seriously, it's a *lot* of money I'd leave. As a result my wife doesn't have to work. I get to see lots of exciting airports. I have airport opinions now. I know where the good food is. I do these shows because I feel it's a part of the job. At some point, presumably, I can get where that other creator is; he does well at these things, but probably not well enough at these shows to justify getting sick from someone, or sitting hungry for 8 hours. He's right. Why do it? Everyone knows who he is; he's not going to sell more books by doing more shows.

Both Starks as well as the creator he mentioned know how their time is best-spent. For full-time creators, it is not all just work and hustle; sometimes reality sets in, and creators need to take stock of where they are relative to the industry and the reality of their situations. D.B.

Stanley said that his wife let him quit his full-time job to do creative works full-time, but added, "I'll have to go back soon. I still haven't made a dime off of it. I hope to make enough money to keep future issues going. The initial investment I've written off, but it has to start turning a trick soon." Artist Jon LaMantia also said that "I think it's really important to talk about it with people entering into the industry; the realities of it. That you should consider having another job, not only as a fallback but because it's really difficult to make a living wage off of this. I have yet to actually do so, in tabling for 4 years, roughly." I asked how he can afford to do it. "Healthcare? Finances? I'm married. I'm fortunate because she's great, but also fortunate because she is the chief financial winner in the house. It allowed me to do it [freelance]."

Agents and Agency

In addition to the quantity of time spent at work, another consideration is the quality of those working conditions. So much of the working conditions attached to any job are based on co-workers, similarly, much of the working conditions in comic books are based on creators' collaborations. For people in the comic book industry, it is a bit easier to choose one's collaborators. In the current comic book industry, with creator-owned titles, writers often choose the artists with whom they work. In work-for-hire situations, editors often assign two creators to work together; however, it is a bit of a negotiating process and not simply a dictate.

Some people choose not to collaborate; they are often people that can work several facets of comic books, including writing and art. Finding a collaborator who is excited is one thing; finding someone who is excited *and* talented is another; harder still is finding someone who is both and can also deliver results in a timely way.⁴⁰⁹ Ali Cantarella says of the collaborative process, "I am difficult to work with. Kind of a control freak... I have a lot of my own ideas; someone's idea has to be really good to get my attention." A creator may choose to work alone for reasons beyond simple control; Sara Rude-McCune says, "I worked on my own projects in-between. I was sick of sharing a table at conventions. I love the people I have collaborated with, but sometimes it's weird because they have all the books and then you don't have anything to sell. It looks like you're slacking. I admit I was just a little jealous and wanted my own thing to sell. I also wanted the experience; there were stories I wanted to tell." Money can also be a consideration, Thom Zahler says: "Yes, my 3rd book was the first time I hired a colorist. It was great. I went to the Kubert School and they taught us to do everything. When you are on creator-owned deals, it is a huge savings to be able to do it all. I'm the only idiot I have to convince to do

⁴⁰⁹ Gertler, Nat. *The Compete Idiots Guide to Creating a Graphic Novel*. 34

anything, and I'll work for my own crappy rates.” Jamie Primack says, “I do it all: write, draw, letter, etc. I have a company that prints it and ships me the books. I don’t trust myself to not mess up the printing. I'd like to hire a colorist. Black and white keeps it cheap.” These creators have related to us that people may choose to refrain from collaborating primarily due to control and cost considerations. It is substantially easier to find collaborators if you’re paying them; easier still if you’re paying them.⁴¹⁰

However, Jon LaMantia makes an important point about the human cost of collaboration in comic books; one that is not often mentioned. “Collaboration is hard for people who have anxiety, depression, or anything else you feel makes it difficult for you to communicate. You're not gonna. It's hard enough to put art out there and talk to people about what you're doing, let alone try to figure out something on a creative level.” He describes finding collaborators as “like making friends when you are an adult. When you aren't in school or meeting people through other friends, how do you do it? There are a lot of ways to fall behind the 8-ball on finding collaborators, not least are the discussions of ‘Who owns this?’ Money? Fun? What is this for? Existential things.” Thom Zahler, who writes and draws most everything himself, says, “It's hard because I don't have to do it a lot. Most of it is translation. When I write something, I just have to write it for me; when I have to write something for someone else, I have to translate. It's harder for me to get into that.”

There are sometimes collaboration mismatches. Smallwood says: “It's like if you had a really great screenplay and hired really terrible actors and a director who didn't know anything about pacing and a cinematographer who didn't know lighting. It'd be terrible.” In *But I Digress* Peter David writes that he feels the same way, saying that collaborations in comics are

⁴¹⁰ Ibid. 34-35

mandatory. “Superb art can elevate a story, and shoddy art will kill Pulitzer material... a comic will stand or fall on its art.”⁴¹¹ Further, David feels that it comes down to the purposes of the job. “If the artist is doing his, job he’s seen; if the writer is doing his, he’s not.”⁴¹² Other creators said more of the same: some jobs in comics are intended to be invisible. Coloring and lettering are two other jobs that, if done well, the reader should not notice.

Having said that, most people in the comics industry either find it necessary to collaborate or choose to do so; most people who are who are writers do not know how to draw, at least not professionally. Many artists do not know how to write dialogue or properly structure a plot, at least not professionally. For many, this is where the “magic of comics” is at: in these collaborations. Of the reasons people in comics choose collaborative storytelling, Jon LaMantia says, “People are getting into comics to find the other part of the equation. They are missing something, but they don’t know what. Many of them never find it. Sometimes, it’s just hard to do.” Even someone like Phil Hester, who is both a writer and artist, sometimes chooses to collaborate with others. “So, because of the serial nature, we collaborate out of necessity to get the books out on time.” However, for Hester it is more than simple necessity: “it’s a big advantage of this job. You get to collaborate with other artists. Even in a studio environment, the work itself is very solitary. The cool thing about comics is bouncing ideas off each other, getting feedback, getting praise. That’s the fun aspect.”

Collaborations in comic books often create friendships. When working in comics on a collaborative project, most people favored working with someone they already knew well. Because they are in close collaboration by sharing art duties, inker Dexter Vines sees a lot of

⁴¹¹ David, Peter. *But I Digress*. (Iola, WI: Krause Publications. 1994). 86

⁴¹² Ibid. 87

value in getting to know his penciler. “If I don't know them, I'll talk with them first. See what they want. Sometimes they'll have notes on the side. I'd do it and then and get some feedback. One creator, I inked his stuff thin and he came back and said, ‘no, I want thick, like Jack Kirby.’ and I said, ‘I get it, ‘nuff said.’” Hester also sees value in creating long-term relationships with his collaborators:

It's a lot like a marriage: find someone you're compatible with. You work with them or talk with them almost daily. Working with them everyday can be a struggle. Really, just kidding. It's a joy. Ande [Parks] is one of my best friends. He's fantastic. You have to find someone who you're compatible with artistically and on a personal level. Because if only one of those things is there, you're going to butt heads.” Later, he added, “Me and Ande, even though we were separated by distance, we worked together long enough he would know exactly what I want. Like, “beef this up”; he knows that means make a line weight heavier. I don't have to show him on the actual page.

Kyle Strahm expresses a similar sentiment about warming up to potential collaborators. “I've turned in scripts and I've talked them out. I prefer to, with creator-owned work, I'll get on the phone and do friend stuff with them. I like to get as much interaction as possible. If the only interaction is e-mail and there is a disagreement, that taints the relationship. I like hands-on. “Sometimes being friends helps the process.” Thom Zahler recalls an experience: “I've been called out by an artist about something needing to be funnier. I'd be mad if he wasn't right. Also, I can give him more complicated stuff; he and I know each other as friends, we can go back and forth. It's harder when you don't know who's going to be on it. You don't know how to talk to that person.”

Because creator Mark Fishman collaborates with the same two people he's been getting into trouble with since 6th grade, the friendship comes first. He says of the collaborative process, “We've gotten into this rhythm; we drive in the car to these cons for hours, we can discuss these things. Between the three of us, it's good push-and-pull. We riff each other.” In their how-to book, Pak and VenLente describe the process in their book as “a strange and wonderful kind of

selflessness that collaboration can encourage. If you are working with a good partner... you have to fear anything—you know you're both trying to figure out the best way to tell the best story possible, and you're both going to get equal credit for success or failure of your work.”⁴¹³

Smallwood says of those sorts of collaborations make people better, “When you bring in master actors, directors, etc. you don't want them to slavishly follow the script; you want their spin. You want those voices. When a collaboration happens on comics, they combine to create one unique voice.” Another way to look at this is as if a collaboration results in one voice coming from two people. Some creators may describe collaboration as the “magic of comics.” Of collaboration, Kyle Starks states that he believes its success varies depending on who you're working with. “In comics, this is where the magic happens. I've had bad experiences. The artist on one of my books was not a comics artist and didn't know how to do sequential storytelling. The publisher made accommodations and he still screwed things up. It shows the level effort they're putting into it.” Even after some bad experience, Kyle Starks sees a value in working with others; “Another artist on a different book ended up making my stuff better. Every now and then, you run into these things. That book is amazing. That's the collaboration you want. The amount of effort I have to put in to make sure it's right is minimal. I don't have to micromanage each panel. I want to work with people who are better than me.” Brian Michael Bendis started out as a non-collaborator, doing all the writing and art himself. In describing the slow transition to being just a writer, he noted that he would give his artist the full script but then do all the layouts himself anyway, because as odd as it sounds, he did not grasp right away where the writing stopped and the art began. The artist didn't mind it, but then Bendis realized that he was

⁴¹³ Greg Pak and Fred VanLente. *Make Comics Like the Pros: The Inside Scoop on How to Write, Draw, and Sell Your Comic Books and Graphic Novels*. (New York: Watson Guptil/Random House. 2014). 6

taking away their creativity, disallowing them an opportunity to do their work; he had to pull back a little on the control he was used to having.⁴¹⁴

JimmyZ says that he writes his scripts with artist intent in mind. “I’m pretty flexible if the artist wants to change things. I can see some places where I cannot change things. I see things as the writer that they may not; also, if they change something, it may radically change the direction of the story.” He sees what the artist does as magic. “There are times I get a page back and I look at it, and I’m like ‘wow’ and blown away; to me, it’s the artist where the magic happens. But I’ve had artists say it’s the writer who says what to do. They are like, ‘I’m just doing you what told me to do.’ And then I’m like, ‘I told you to do that? Wow, cool!’ In his how-to book, writer Brian Michael Bendis says, “Sometimes you’ll see something in the artwork and think of a better take on dialogue, or a joke or one-liner to accompany it. Something will occur to you after seeing your story brought to life visually. Sometimes that ends up being the best writing you do.”⁴¹⁵

B. Clay Moore says, “Even if it’s mine, they’ll co-op the idea. I never want to work with someone who will just draw what I write. I want their input. It shouldn’t be just what I write. It’s tempered by what they brought to the table. Hopefully, it makes it a richer experience.” Writer Patrick Trahey also leaves room to let the artist work: “I’ll write a script before I have an artist in mind. Once I have it, I’ll look for an artist I think is a good fit for it. I’ll work with them to get the best story I can. I try to keep it loose so they can have room to play and enjoy.”

Working collaboratively can be rewarding on other ways. Sarah Rude-McCune started in the industry working collaboratively: “I was coloring other people’s stuff. I wanted to do one part of the process and see how that worked. Working collaboratively gives me enough guilt to

⁴¹⁴ Brian Michael Bendis. *Words for Pictures: The Art and Business of Writing Comics and Graphic Novels*. (New York: Watson Guptil/Random House. 2014). 83-84.

⁴¹⁵ Ibid. 42.

keep working and keep working well. If I don't feel someone over my shoulder or going to be over my shoulder eventually, I'm just like, 'screw it. I don't need to do the full perspective on this, just get it done.'" Jeremy Haun says of collaboration with his friends and work, "I've been lucky with my creator-owned books that they've been about collaboration and communication. Friends working together and challenging each other to be better. On one of the books, we were tripping over each other to credit the other one for a scene. It was goofy because we don't remember where it came from. That's the way to do it." In truth, that "magic" of comics is that particular blend of word and picture where the voices don't seem distinct anymore and those collaborators push each other to better at their respective tasks.

Working collaboratively and creating this sort of "magic" may not be unique to comic books; it exists within other creative media as well. A studio such as Pixar would be a good example of an effective embrace of collaboration. In his book Ed Catmull, the president of Pixar, describes the layout of the boardroom as being key to Pixar's successes. When they had a round table, everyone felt free to speak, no matter their position; they had eye-contact and the ideas were more free-flowing. When they had a long table, the collaborations did not work as well because there were positions of power in that layout; people at the head, people on the peripheries.⁴¹⁶ While speaking out about the production of television, which may not even be a situation that is unique to creative media, Vicki Mayer discusses the idea of incidental creativity on assembly line operations by describing it as "personal and collaborative, sporadic and local, necessary and yet unruly."⁴¹⁷ Hesmondhalgh and Baker argue that the autonomy and informality

⁴¹⁶ Ed Catmull. *Creativity Inc.: Overcoming the Unseen Forces that Stand in the Way of True Inspiration*. (New York: Random House. 2014). 4-5

⁴¹⁷ Vicki Mayer. *Below the Line: Producers and Production Studies in the New Economy*. (Durham: Duke UP. 2011). 63

of the creative workplace, for those who do not like rules, tends to foster changes in relationships and allow ideas to thrive.⁴¹⁸

While existing friendships help collaborators work together better, proximity can make a difference in the collaborative process as well. In the era of globalization and e-mail, many in the comics industry live in far-flung places from their collaborators. Phil Hester says that adjacent geography can expedite things: “My current inker lives close by. I can run things over to him. In the old days, we'd actually send the physical pages; my FedEx bill was thousands of dollars every year. We can meet to exchange pages. So, our pages are all old-school and penciled and inked on the same page.” He goes on to add, “There is also something to be said for the face-to-face communication. It works faster to describe detail.” Greg Smallwood believes that proximity makes a difference, as well. “When I worked with Jai [Nitz], it had a certain voice that is different than with someone like Jeff [Lemire]. There is also a certain amount of my being in the same room as Jai and Jeff being distant; it’s not the same [as the interplay or conversations]. There is a benefit to being in same room.” Ashley Witter makes comics with her live-in boyfriend; she has both proximity and friendship. “It’s mostly me and my boyfriend; we live together and come up with fun ideas for the comic together. Now it just happens to be our job, too. Which is fun. It's what we want to do. We'll bounce ideas off each other. He'll write the script and I'll do the art. Sometimes I cannot imagine it as work.”

JimmyZ does most of his work with another creator who lives in the same town as him, and he contrasts the experience to working with other collaborators from far away:

He doesn't live too far from me. What we do is we sit down we say this is the story we are going to tell in this issue. We know we have 60 pages. We sit down and tell the different scenes on a white board. It comes out to 85 pages. We know something isn't working. We get it refined and outlined. We write the skeleton then we spit the scenes.

⁴¹⁸ Hesmondhalgh, David and Sarah Baker. *Creative Labour*. 88

We write our parts. He's faster than me, so he'll inevitably get done first; he'll send it to me. I'll paste it together in one script. I'll go over his parts. Send it to him, he'll go over the whole thing and then send it off to the publisher and editors to do their magic with it. It's relatively hands-off with the artists. Once we turn in the script, it's out of our hands. Some artists are more interactive than others. Some do layouts and send them back to us for approval. At pencils, he checks in again and then inks before it goes off the colorist. There's some artists where don't see anything. On another book, I didn't see the art until I was sitting at a table at a show with the artist. He had original pages he was selling. Every artist is different. I had another situation with an artist where I didn't hear anything from them until the second issue, where they requested I make fewer panels on a page, or [make] fewer things happen in a panel. I humbly apologized and told him I wish we'd been in touch sooner, as there were things he was cursing me up and down about; things in the previous issue. We've had to mesh together. It only befits to communicate.

In that sense, not every collaboration goes 100% smoothly. K.J. Kaminski says, “they want to know the writer is doing something and they put out a full script. I feel the final product is a collaboration, even if I created the character and gave a full script. What the artist gives me back is not what was in my head. They make choices. The script may not be right for that art anymore.” Of the collaboration, Jeremy Haun says, “I'm not sure creativity always works like that. I think that sometimes you get a writer or artist that is working very hard, then the partner is doing a lot of things themselves. Then you can get the partner that does the job but doesn't give the love back.” Smallwood agrees: “For the current arc we have to run some things up the flagpole, because we are changing origin stories and consolidating some things; they figure they should check with their editors. But it seems like a quick process, like within the day we'll get the green light.” If he were on a book with a major movie franchise attached, however, he feels it would be different. “But a book like Iron Man, I'm sure there'd be rewrites.”

In the *Power of Comics*, Duncan and Smith describe that, interestingly, the collaborative process was born out of that very idea: the idea of creators being cogs. In the 1940s, the Eisner-Iger Shop was born out of a Fordist instinct to make a virtual assembly line within a studio. Since that time, comics collaborators don't share studios as often; sometimes, they don't even

share the same hemisphere. The system was originally based on fragmentation, with the idea of turning out work faster than before and working under the principle that anyone could be replaced if need be. It also had the effect of making the final production a product of a company rather than a single creator.⁴¹⁹

There is a difference between creator-owned and work-for-hire collaborations. In work-for-hire situations, usually you are assigned a collaborator. Conversely, in creator owned situations, you can choose your collaborator; you might look for a collaborator on an internet message board, at conventions, or collaborate with a friend. Since this collaboration comes from a different place, it also adds a different philosophy to the collaboration; more often, this makes the collaboration about each member's strengths. B. Clay Moore says that the collaborative process on a creator-owned book is almost always great. "That's because it's a true collaboration. Whatever I do is tempered and molded by the collaborator. Their input is 50%. It really is a CO-work, a CO-llaboration." On the other hand, he says, work-for-hire is not always good. "I don't even know, sometimes I have no direct contact with the artist. It's never as satisfying." Dirk Manning sees collaboration as imperative to what he does. "Moving forward, I am doing co-ownership with artists who are involved a little bit in the process from the ground-up. I love the process because I love collaborating with people." Manning says that the people who he works with are amazing, and "for them to want to work with me is humbling and awe-inspiring."

Smallwood also sees a difference between working with his friend versus work-for-hire: "There are superficial changes I'll make. But with Jai. I would change the whole story. With Marvel, they ran these scripts through editors and stuff; it's not really my place to change. I'll

⁴¹⁹ Randy Duncan and Matthew J. Smith. *Power of Comics: History, Form and Culture*. New York: Continuum Press. 2009. 114

check if it's more extreme. Most of the time they don't care." While talking about collaboration Smallwood said:

We both came back to the idea that we are improvisational; it's an important part of storytelling. If we want to take a left turn and not just follow the outline set out. I can throw him curveballs and he develops a new path to tell that story. It takes a lot. There is certain amount of trust that you put into other people when you hand the work off."

While discussing trust, he says of other collaborations:

For me, when I hand my line art off to someone else, it can come back really good but not exactly what I expected. For a writer, they have to do that with their stories. They may get it back and it's not exactly what they expected. It might be completely different. We were always going back and forth. I'd give him the art and he'd rewrite dialogue to match. Our relationship is different. Every collaborative team is different. The way I work with Jeff Lemire is different than when I work with Brian Wood, different than I work with Jai; each of those partnerships are different. This is often forgotten by artists.

Not everyone is fan of the collaborative process. In an internet post, writer David Michelinie, co-creator of characters such as Venom, Carnage, and Scott Lang (Ant-Man), has requested that people stop thinking of him as a "co-creator" in his creator credits because he believes that the concepts started with him and were later passed to his collaborators after being refined by editorial. He pointed out that the idea started with him, and the artist he often "co-created" characters with may have simply drawn the panel where they first appeared and in reality had very little to do with the actual shaping of the character. It is because of Marvel's company policy of crediting the first person to write and draw the character, respectively as the 'co-creators' that the artist receives any of the credit at all:⁴²⁰

We have seen that the nature of collaborative processes can change depending on the closeness of the collaborators, both in physical proximity and relationship-wise. The collaborative process can also be different if the collaborators are working on something work-

⁴²⁰ Arrant, Chris. "Venom, Scott Lang, Carnage, Taskmaster 'Co-Creator' says Take Out the 'co'" *Newsarama.com* pub: July, 16, 2018. <https://www.newsarama.com/40818-venom-scott-lang-carnage-taskmaster-co-creator-says-he-deserves-sole-credit.html>

for-hire versus something creator-owned. For many, the attractiveness of coming to comic books is in the “magic” of collaboration. However, the relationships can be changed by factors beyond mere interpersonal issues; they can be affected by other people elsewhere the assembly process, such as by an editor or an executive.

Editors

In the comic book industry, most creative hires are freelance; as a result, the people who work on comic books often don’t have bosses or supervisors in the traditional sense. In most work-for-hire situations, the editor acts as the supervisor. To that end, editors set the working conditions within this industry. Additionally, much of the locus of power for the industry seems to be centered in the editorial office. In discussions with my participants, I expected that they would have unkind things to say about their editors being unreasonable or otherwise difficult to work with. And in fact, echoed over and over in my interviews was the fact people said they had *heard* “horror stories” about editors—but, invariably, these same people revealed that they had no such horror stories of their own to relate. At the end of it all, I was told relatively few horror stories; almost universally, the creators I interviewed had nothing but glowing praise for their editors.

When discussing the people above them, comics creators are rarely hostile to their editor, who is their “point person” for the company. They are often frustrated with the industry or with the companies themselves, but rarely with their own editor. Although no one said this outright, the feeling was left with when people repeatedly discussed their editors fondly, often calling them by their first names, was that the editors acted less like supervisors and more like peers. To that end, I think the main reason frustration with the company or the industry in general did not land on the editor’s shoulders was because in most cases, these creators experienced something

human in the interactions with their editors. Hesmondhalgh and Baker say that this management style, described as ‘muted and accommodating,’ is common in creative industries because creative people do not like top-down edicts. The creative worker feels that creativity cannot be boiled down to rules or procedures. As a result, this type of manager is always struggling with the relative autonomy given to creative workers on one side and ensuring profitability from the side of their capitalist bosses.⁴²¹

Despite the amount of power given to editors—placed in charge of hiring as well as directing the course of each title’s story—they still don’t have *all* the power. In many cases, editors act as gatekeepers for the comic book industry.⁴²² They pick the criteria for the comic books that make it to publication, decide which books are selected, and choose whose submissions to accept.⁴²³ Conversely, in the larger publishing houses there still is a “man behind the curtain” sensibility when it comes to the editor in larger companies, they are hired to make whatever the marketing team says will sell. In larger operations, most books don’t pass through a just single editor; in fact, there is an editorial hierarchy. At the top is the Editor-in-Chief, who oversees the entire line and approves the direction of the characters. Below them is the editor who communicates with the creative teams on the books under their direction and ensures that everything runs on time. Longtime editor Shirrel Rhodes points out that editorial styles differ from editor to editor. Some look at the script as the final document that dictates how the story will look; others use the initial script as a guideline and reserve the right to make changes later. Finally, there is the associate editor: this person is generally an intern that got promoted to a paid

⁴²¹ Hesmondhalgh, David and Sarah Baker. *Creative Labour*. 85

⁴²² Duncan and Smith. *Power of Comics*. 8-9

⁴²³ Pascal Lefevre. “Gatekeeping in Comics Publishing: A Practical Guide to Gatekeeping Research.” *Cultures of Comics Work*. Ed. Casey Brienza and Paddy Johnston. (London: Palgrave-MacMillan. 2016). 209.

position. They generally make copies and do research.⁴²⁴ Phil Hester describes the job: “They manage all the real-life things that artists are bad at like time management, schedules, shipping. The creative decisions are made before they hire you. They look at your body of work and come to you with the project. It's like casting for a film. The best editors do their homework ahead of time.” This means that the editors often pick known quantities: people they know are easy to work with, turn in quality work, and can get the job done before a deadline.

As an editor himself, Travis McIntire says of looking for talent: “I try to look at all the submissions. We stopped taking digital submissions, though, because we got inundated; that could fill my time all by itself. Also, it's really thankless; you'd be surprised how many people will send you a shitty e-mail because you politely said ‘no thanks.’ It's insane.” He goes on to say that he wasn’t actually recruiting that much talent from the submissions; he figured there was a better way to recruit talent. “We’re doing all these shows. Now, I mean, I'm *at* all these shows. If my schedule is a little light, I just walk around. Look for work that catches my eye. I look for people with a book and they made it easy to find. Also, we still get some submissions and do portfolio reviews.” His advice? “Make a thing: even if it's shitty, even if it’s by hand, make a thing. Give it to people. Your next thing will be less shitty. Even if the quality isn't there, talent can be recognized. As an editor, you can look and see things.”

The people responsible for assignments are editors, and many times their choices for who gets assignments and who does not centers around who the editor already knows. Greg Smallwood said in one of our discussions, “they know who they want for projects and rarely go outside of their circle.” Practically, Smallwood explains, this is done less out of nepotism but more out of a sense of who they trust to finish the work and meet a deadline. Since the industry

⁴²⁴ Rhoades, Shirrel. *Comic Books: How the Industry Works*. 124. 292-293.

is constantly turning over employees, these relationships are vital to getting continued work.

Buster Moody described a time he took a less-than-desirable job because he wanted to keep the channel to the editor open for more work he would want. He describes it as a strategy: “I show that I can work on a deadline and keep in an editor’s good graces. You have to be strategic about your interactions with editors. I’ll do good work, even under not-the-best circumstances.”

Enforcing deadlines is probably the most important job for the editor. One of the learning experiences for LaMantia was the deadline: “There is something to be said for a deadline.... I once had a 12-page project due for an anthology two weeks later. [That’s a lot.] But what am I going to do? Tell the editor I misread some communication? That kind of thing happens, but the deadline is still the deadline. I have to meet that deadline now.” For him, it was an “A-ha!” moment: “I have to figure this out, do the thing, or I am not the thing I say I am.”

In an interview with John Siuntres, artist Matthew Clark described missing a deadline on a creator-owned book for a publisher and how it ended up “tanking” the project. He was working with Greg Pak on a book called *The Felon*; he missed a deadline by a few days on the second issue and the publisher cut their 24-issue book down to only 3 issues. This caused the artist and writer to have a “difficult conversation” with one another about professionalism and whether or not Clark even had a place in the industry. He continued working on the book and in the industry, but was more careful of deadlines after the experience.⁴²⁵ In his book, Dirk Manning describes that he once rushed a project due to a deadline and now that project is the only thing he has ever released that he’s “ashamed of.”⁴²⁶ In a podcast, Dan Slott talked about his heavy

⁴²⁵ John Siuntres.”Podcast: Word Balloon: Matthew Clark the Freelance Life...” TI: 10:00

⁴²⁶ Dirk Manning. *Write or Wrong: A Writer’s Guide to Creating Comics*. Caliber Comics. 164.

deadlines; he had a reputation for missing deadlines on his work but had it drilled into him that when he took *Spider-Man* over, he absolutely could *not* miss his sometimes three-times-monthly deadlines. He felt the pressure of this responsibility acutely because *Spider-Man* is a large enough property that if he had missed even a single deadline, then *all* of Marvel may end up not meeting a quarterly goal. For him, however, it was less about the people “swimming in Scrooge McDuck-like money vaults”; for him, it was about the letterer or the colorist who might not have work because he was holding up the train. To him, *those* were people who could not readily afford to miss a paycheck because they had kids and families counting on them.⁴²⁷

Although many people who write comic books come to it with a formal education, or at least with some prior experience, writer Gabby Rivera came to comics from writing novels. While some of her skills were transferable, she had to learn comics while she was writing *America*. She described her experience with editorial as educational, “...getting the notes from Will and Sarah and reworking scripts and getting feedback from folks on how to do paneling. I loved it.” It might not be a role that editors take on often, but sometimes their role might be educational more than managerial.

In discussions, the issue that came up with some creators is that they sometimes referred to the editorial groups at the larger companies as “fiefdoms.” Marvel Comics may seem like one company, but it actually runs like several different companies: a Spider-Man company, an Avengers company, an X-Men company. DC is much the same way; a Batman company, a Superman company, an Aquaman company, etc. Each editorial group acts semi-autonomously. When the editors have a shared universe with other editors, they declare shared characters off-

⁴²⁷ John Siuntres. “Word Balloon: Dan Slott - Spider-Man Exit Interview.” John Siuntres. *Word Balloon*. Podcast Audio. Pub: Jun. 20, 2018. Ti: 116:00. <http://wordballoon.blogspot.com/2018/06/dan-slott-spider-man-exit-interview.html>

limits for certain amounts of time; this allows them to know for certain that the toys will be returned to the sandbox in the same conditions they were in before, with no permanent scars or changes. The editors are aware of what the other groups are up to due to meetings, shared space whiteboards, or email lists. On occasion, editors would get upset with other editors who would poach their talent pool or who would not “play nice” while sharing their characters within the company. Working for a company with several editors or a hierarchy of editors is different from working for a smaller operation or self-publishing.

Anytime there is a power differential, there is a potential for abuse. Artist Gene Colon’s wife Adrienne described an almost-abusive relationship that Gene had with Marvel editor Jim Shooter. Gene had worked for Marvel since a prior editorial administration, and the change of administrations was not kind to him. Colon would turn in finished pages and Shooter would make him redo them over and over again, often with long notes, causing him to ‘crumble’ in front of her. Eventually, Shooter fired him.⁴²⁸

Interestingly, editors have quite a high turnover as well; good ones are often poached by the competition, and oftentimes they take their talent with them.⁴²⁹ This is a common enough occurrence that one creator I spoke to speculated that the whole industry turns over every few years. Artist and writer Phil Hester describes the editorial relationship thusly: “Another thing about comics that is pretty great is that they are self-correcting. If a relationship isn’t fruitful, it ends. If an editor finds you troublesome, they’ll stop hiring you. If you find a publisher untrustworthy, you stop working for them. If you find an inker doing unsatisfactorily, you stop working for them.”

⁴²⁸ Bell, Blake. *I Have to Live with this Guy!* Raleigh: Tomorrows Press. 2002.16

⁴²⁹ Carpenter, Stanford. “Imagining Identity” 241

Many creators described the bond with collaborators and editors with relationship metaphors, such as “being married” or “dating.” Brian Michael Bendis says that although it is the creepiest thing he’s written, he indeed believes that working with a collaborator is like dating. He says that everyone is well-behaved on the first date, careful not to talk over anyone else; then, years on, everyone is freer and speaking their minds and you couldn’t be happier. He also says that when a project ends and the collaboration is over, it feels like a breakup; sometimes you can still be friends, sometimes not.⁴³⁰ In *Raw Deal*, Stephen Hill also describes working life as like being in a relationship or a marriage. “... [in the past] there was a sense of commitment and a joined destiny.” Hill was describing stable employment situations; he refers to unstable ones as “one-night stands... a promiscuousness that promises to be fleeting.”⁴³¹

Just as in dating, it’s healthy to set boundaries when getting to know someone. Artist Buster Moody described an opening negotiation with a new editor as follows: “You have to set boundaries with editors. They will want free speculative work. I once did 5 rounds of samples to get a job. Eventually, it was taking up all my time just trying to get this job; I replied, ‘I’ll do more samples for money.’ They are testing you, seeing how many hoops they can get them to jump through for the job.” He speculates further: “Editors gauge that initial process as the precedent. They are testing you. If you do a bunch of sample work up-front, they know you’ll also do a bunch of revisions for free. You set the precedent. They will try to get as much work as they can from you for free.”

Greg Smallwood repeats Moody’s points about boundaries in the industry: “I’m working with a writer who has clout; they aren’t going to give me too much shit. I have a little clout

⁴³⁰ Bendis, Brian Michael. *Words for Pictures*. 80-81.

⁴³¹ Hill, Stephen. *Raw Deal*. 6.

myself; they are worried about me going elsewhere. They aren't going to push my buttons too much. But I see it. The lower on the rung you are, the less value you are perceived to have, the more shit you'll get. The more they'll push your boundaries. They will question you more often when you are starting out.”

B. Clay Moore also makes a similar point about jobs taking advantage of you: “It's weird that's the way it works. I've known artists at Marvel and DC who, when they needed a rush job they did 20 pages in 3 days for them, and they feel ‘that will put me in good with them.’” Logically that may make sense, but in reality, this works to the worker’s detriment. “Naw. Now you’re the guy that will do 20 pages in 3 days when they need you. They don't say, ‘oh, here's more work for you.’ Now that's who you are. I have a friend who is fast. They asked how long it would take to do a project; he was honest about it. They just buried him. Now he builds an extra week into a project.” Moore continues, “Another creator once told me he always turned in his scripts several days after he finished them. If it took him 8 days, he'd turn it in 12. He didn't want them to think he was that fast because they will expect it faster.”

To many in the industry, editors are just a disembodied voice over the phone or through e-mail. Inker Dexter Vines said of his editors, “It depends on the editor or the project. The most I'll hear from the editor is at the start of the project. They will tell me about the project or deadlines. After that, the most I'll get is a ‘nice job’ after you send a page or a ‘how’s it coming?’ Generally, if I get on a book and it's running smooth, [if I don’t hear from them] it’s good work.” Travis McIntire says of his editorial job, “I am less hands-on. I used to be super hands-on. Now I am working on 2 books in the pipeline. I have a variety of other editors, freelance and contract editors who we farm stuff to. They are hands-on.” He adds, “I only have so many hours in the

day. Once an editor sends us stuff, we mostly assume it's pre-press-print ready. Once I get that file, I double-check it and look at it; that's about all my editorial."

David Finch described the process of starting a project as something akin to a negotiation. "When I'm under contract at Marvel or DC, we'll have a conversation where the editor will tell me, 'we have this, this, and this, any of that interest you?' and we'll talk it out. That's usually how it goes. I think that 'negotiation' is more formal than what it is."

During an interview I was conducting with Greg Smallwood, he got a phone call from an editor offering him one of several things. They spoke back and forth a bit; the impression I got from hearing Greg's side of the conversation was that the editor was trying to sell him on one of these projects in particular. Greg expressed some concern that he did not really feel "right" for what they were trying to plug him into. They ended up settling on a fill-in issue on a book and a couple covers until they could bring him something more in line with his "atmospheric sensibilities." I did not do the math during the meeting, but noted that the issue Greg and his editor had talked about was released in internet solicitations with Greg's name on it a little over a week later, which meant it was due on store shelves three months later. I remember thinking at the time that this seemed to be a very small margin of error to work with; upon looking at an editorial time line, it turned out that this actually falls in line with how the industry currently runs. The writer creates the script about 5 months out, then the editor picks the artist about 3 months out, and then the art is turned in about a month and a half later with about two weeks remaining to make any final corrections before everything is sent to the printer; the result is on store shelves two weeks later.⁴³²

Phil Hester explains the importance of deadlines and how it can follow your career:

⁴³² Rhoades. Sherrel. *Comic Books: How the Industry Works*. 146

One can get a reputation, and that will follow you around. Informally, reputations can come through the grapevine. You can get a rep for being flaky or disappearing on an editor. That's about the only thing you can't do in comics. You can be late, as long as you tell them. If you're late and disappear on them, that's murder. They can't adjust. You can tell them, "Hey, I'm sick, I need an extra week"; they then can change dates. However, if you disappear on 'em, they are without recourse; that is something editors have a hard time forgiving. I can understand that. The reputations are largely informal. There is no real blacklist. But editors talk. They know who is reliable or who is difficult. As you can tell from some careers, being difficult or late is not necessarily a death sentence. If you are really good or really popular, they will make exceptions for you. The old bromide is, "you have to be good, reliable, and nice. You have to be 2 of those things." That's true. But if you're good, you only need to be one of those things. If you're really good, you can get away with being a jerk and late.

In an interview with *The Word Balloon Podcast*, Matthew Clark described a time he worked for Marvel while he was under exclusive contract where he was working on one book with an editor but was offered a more lucrative job with another editor. He thought about and felt that the new job was more suited to him. It was still an internal transfer within the company, but since he left the original job, he ended up burning a bridge with that editor that rippled into him having neither job and eventually being released from the company.⁴³³ This attitude of "timeliness above all" has been part of the serial medium since the beginning. In the introduction to *The Complete Works of Fletcher Hanks*, Paul Karasik asked Will Eisner about the notably eccentric Hanks; Eisner said, "He wrote, penciled, inked and lettered his own work." "Anything else?" I asked. "And he got it in on time!" Eisner said. "Anything else?" I asked. "Frankly, nothing else really mattered," replied Eisner."⁴³⁴

A heavy handed editor can make a big difference to the final product. Take for instance if they change the format of the book. A writer can go from writing a 22-page to a 20-page with a

⁴³³ John Siuntres "Podcast: Word Balloon: Matthew Clark the Freelance Life..." TI: 38:00

⁴³⁴ Paul Karasik. *Turn Loose our Death Rays and Kill Them All: The Complete Works of Fletcher Hanks*. (Seattle: Fantgraphics Books. 2016). P. X

backup story. If the writer wrote it to be 22-pages this last minute change means that they would change the pacing to 20. This also means that the script that would be mostly done with would needs completely reworked. That rework creates more work on the front end but also affects the paycheck on the back.

Most of the creatives in the industry work on a page-rate rather than an hourly-rate. Losing two pages over six issues equates to twelve total pages, or half a book. To someone who does freelance, that's half a paycheck. This is the kind of last-minute change that makes or breaks a freelancer. When writing about freelance work in the larger sense, Andrew Ross points out that many creative people have an illusion of entrepreneurship, but in reality, in many cases they are subject to the same whims as their lower-paid counterparts.⁴³⁵

Because of the short deadlines, most of editorial interference would have to be light. Writer D.B. Stanley says that the only thing editors ever asked of him was clarity; they didn't change content at all. "Sometimes when you're in the middle of writing, you might not know what's being picked up by people and what isn't. Sometimes you need the outside eye to clear things up: clarification of character, relationships of character, that kind of thing." In Patrick Trahay's experience, editorial does sometimes ask for changes here and there. "One change, for instance; I had a book that was published in black and white. They changed it to rust-red ink. The reason they did it was because the newsprint paper they use didn't show the greytone that great. I'm totally okay with it. Whatever is best for the reader, that's fine. I want to sell as many copies as I can because it seems the best way to keep making books." Pak and Van Lente advise budding writers to take editorial feedback as just that: feedback. If they interpreted something a

⁴³⁵ Andrew Ross. *Nice Work if You Can Get it*. (New York: NYU Press. 2009). 6.

in particular way, that meant that a reader may as well; the editors are also just trying to create the best story possible, so let them help you and don't interfere.⁴³⁶

A relationship between an editor and a creator can go wrong if the trust between them is violated. B. Clay Moore related that his experience with editors has been good, but there were a few times that editors changed things without consulting him first.

The only time I've had real issues with editorial is when they've changed things. Add or change dialogue without telling me. It's happened exactly twice. One added a tagline at the end. I had the story all internalized and the rhythm ... it stands out. I e-mailed him right after I noticed, and asked him if I wrote it. He said, "No, I hope you don't mind I added it." I did mind because it changed the tone. Another time I did a story and a guy changed a line, and then I read a review that pointed to that specific line as bad dialogue. I e-mailed the reviewer just to let him know it wasn't mine. The reviewer was also a comics writer, so he understood. It just sounded weird. I prefer an editor that will talk with me about what we're going to do and just let me do it.

JimmyZ felt similarly: "When the issue came out, I've seen panels moved around like from page 8 to page 10. They did it in editorial. It's their right, their property. It just threw me off, because my previous experience hadn't worked that way; I handed them the issue, they published it."

Greg Pak and Fred Van Lente describe times when editorial was going one way and they were going another with a story or a character. In those instances, they never left the book or got fired, but they look at the end product as being far from their best; they regard these products as missed opportunities. They also state that most of the editorial staff is just there to tell the best stories they can.⁴³⁷ It should be noted that editors would be unlikely to want to put their names on an inferior product as well, because it would hurt their own reputations.

⁴³⁶ Pak and Van Lente. *Make Comics Like the Pros*. 78

⁴³⁷ Ibid. 78.

There is a disconnect on the editorial level between high art and moving along serial product. Many editors would want that perpetually selling high art statement on some character or society. However, they also have to pay the bills. For the editorial staff they sandwiched between this life-long ambition to work on Spider-Man (...etc.) and needing to balance a budget sheet, either for some corporate entity or for themselves. Greg Smallwood replies, “They can be fans, too. I feel fortunate to have the editors I do. They can be really supportive. I really appreciate it because I know how bad it can be.”

Continuing the thread, we’ve been following so far, relationships with editors are also different in creator-owned comic books. One quote about editors really stuck with me: “I like Oni because they don't tell me things, I like Image because they don't tell me things,” says Kyle Starks. “I like working with Image. I don't want to sound braggy here, [but] I'm very good at what I do. I tell a specific kind of story. It's not like a lot of people's stories. I know what I'm doing. I don't want editorial influence. I'm happy to say I rarely get it. I know it exists; I avoid it.” Despite what these statements might imply, Starks isn't completely closed off to feedback. “As comics are collaborative, I should be better at it. My editor will sometimes say something, like, ‘I'm not sure about this last panel.’ I'll reply, ‘you know, I wasn't sure when I did it.’ ... As someone who has until the last year done everything, I'm hesitant for someone to tell me to do a story when I put more thought into it than they have.”

The reason this sentiment stuck with me is that it ties into a feeling which I think is deep-seeded in the creator-owned movement. The people who want to make a creator-owned comic feel a bit more ambitious overall. Many of them have done comics; they know what needs to be done. Like Starks, they do not mind a clarification or rewording but really do not care for closer oversight. These creators don't really want people telling them what to do. K.J. Kaminski writes

and acts as the editor on his own books: “I push artists for clarity. I push dynamics bigger, even though they are established guys and they say many of their normal editors don’t get this involved. I tell them I’m trying to make the best book I can.” He goes on to note that the artists on his books are all work-for-hire. “I own full rights to the characters. I feel that works in a business relationship. I feel when one entity or person owns all the rights, it expedites negotiations.” He notes that single ownership seems easier to him because when Mark Millar and Robert Kirkman wanted to sell properties to media companies for adaptation into television shows or films, they had to go to their co-creators before doing so. Writers who look up to personalities like Kirkman and Millar are writers who also oversee entire lines of comics and who have lucrative deals with media companies.

Because creator-owned comic books are just that, the creators themselves may have to hire out editorial duties. Jeremy Haun says, “With Image, we brought in an editor. That’s the best kind of relationship. He understands it’s our baby and his job is to make it look and feel the best it can. He knows he’s not there to tell us we’re doing things wrong or really feel the need to put his stamp on it. This is our book and we talk about it. He makes it easy. He handles all the communication with the publisher.” Pak and Van Lente describe the editorial job as similar to “pushing tin” (i.e. being an air traffic controller). Some planes come in hot, some are running out of gas, etc. It’s up to the editor to make sure that the creative people on the projects get what they need so as to minimize the potential emergency situations.⁴³⁸

Kyle Strahm also sees an editor on a creator-owned work as a positive. “All the editors I’ve worked with are fine. It’s necessary to have an edit on a creator-owned project. If someone gets behind it that can harm that relationship, the other party is like ‘hey, hey, hey.’ the editor can

⁴³⁸ Ibid. 78-81.

serve as an insulation to make sure that relationship doesn't go sour..." He continues, "I never had an experience where I didn't get along with the editor. I think a part of their job is to make things move smoothly. As far as feedback, I've heard people say they wish the editor didn't give ideas."

A Finished Product

Of all of the changes that crowdfunding has provoked, the way that projects are realized is one of them. Finished and full projects, often entirely funded via Kickstarter before ever reaching a publisher, are treated different editorially. In certain instances, smaller publishers see writers/artists or teams coming to them with an already-finished creator-owned project that they just need a publisher to scale up.

Many of writer Dirk Manning's works are these kinds of projects. He says he'll first finish a book and shop it around. As a result, his relationship with editorial workers is different: he hires a freelance editor. "I consult with her to make sure that my language doesn't get too many 'Dirkisms' or 'Dirky'. I'm a little verbose." He implies that these editors are familiar with his style and know when he is being unclear. He goes on to state that he feels his method of doing projects may sometimes disenfranchise editors to him. "They got into comics, into editing, because they want to help people make comics. Here comes this guy who walks in with a finished book. It takes them a bit out of the equation." Manning's feeling is that, "If you don't want it, someone will; or I'll do it myself. I do, I have, and I will." He goes on to clarify: "That's not to say I won't work with editors, I do and will. Sometimes I've worked with editors and they've made good story suggestions that I've incorporated. Also, there are times where I'm working so hard to create that I don't take time to ask for editorial feedback. I feel I don't need it sometimes, I know what I'm doing for my stuff. It's my world, I know what I want." One of his

collaborators, artist K. Lynn Smith, feels much the same. “For my project, it was all my project. I controlled everything, even editing. I don't have a ton of editorial interference. Then, when my publisher found me, they never touched a word. “I'm not opposed to being edited, it just hasn't happened.”

A Licensed Product

Another special case with editorial is a contract work that involves a licensed property. This type of work is also treated different editorially than comic book-originated works. The licensed properties can have additional interests within the depictions of those properties. They wish to ensure that any work derived from their property is in line with their values, morally and legally, and corresponds with other depictions of that product. In these cases, the editor has an additional job: they need to jump in front of feedback, ensure that the licensor is happy with the work done by the creators, and also make sure that the creatives don't get so many changes that they're left in an unhappy work environment. Buster Moody says that he thinks one of the frustrating things about working on a licensed property is that the pages have to be out longer because there is more bureaucracy, such as legal teams, that have to look at them before final approval. So changes come back a little more slowly, and often these changes happen simultaneous to working on the next project. He described having to switch headspaces back to the old project as jarring.

Buster Moody worked on comic books for both *Teenage Mutant Ninja Turtles* and *Godzilla*, owned by Nickelodeon and Toho, respectively. He describes working with his publisher on both of these properties as “super easy.” He also said that Nickelodeon was easy to work with, although he did have an interesting example of things about which he had to be careful while making the book. The Teenage Mutant Ninja Turtles (TMNT) are pizza lovers, so

it would make sense that they cooked their own pizzas on occasion. Buster said that since TMNT is technically a children's comic book, they were not allowed to depict the Turtles using an oven for fear that it would make it look attractive for children to use an oven and burn themselves or burn their house down. Other than those kinds of pitfalls, Nickelodeon was easy to work with.

Moody indicates that as hands off as some property owners were, Toho was very hands-on, often giving pages of notes and feedback. One thing they were very concerned about was disrespect to the characters. In one instance, one of the things he wanted to do was have Godzilla meet a chorus of angels that instead looked like Mothras.⁴³⁹ It may have been an excellent crossover use of the monster characters, but Toho felt that it was disrespectful to the character. After the note, Moody thought the idea still had legs, pushed back a little, and compromised with them; eventually, he was allowed to depict the angels with Mothra's distinctive wings. As another example, he got one note in his Godzilla story where the feedback came back as "too comic book-y." This puzzled Moody as it was, in fact, a comic book that he was drawing. Moody concluded at that time that he had to be a bit more careful with Toho.

Kyle Strahm, who has also worked with licensed properties, said much the same: "I was working on one project, a licensed property. They are really picky about the likeness of one of the characters; they'll come back to me with a bunch of notes, but I don't care. I know that's a part of the deal. I've seen people get mad about it, [but] they are the ones paying you, so whatever." With the statement, "they are the ones paying you," Strahm is basically establishing that by the virtue of being work-for-hire, it's not a good idea to get emotionally attached because even if a writer is a fan of the property, it's still owned by a licensor.

⁴³⁹ Mothra is a winged Kaiju monster also owned by Toho, who looks like a giant moth with very large eyes.

When, writer Jimmy Z worked on *Micronauts*, they were very hands-off; this surprised him, considering it was a licensed property. “In an issue, I can't believe they let me do this, I chopped off one of the bad guys’ fingers. It makes sense in the story, but I turned it in knowing there was no way they were going to let me do it. And then they did.” The change wasn’t to last however; he tried to use the dismemberment as a plot point in a later issue, saying, “I have him talking and saying, ‘look what they did to me.’ And he shows the missing fingers.” The note from Hasbro came back saying they felt that medical technology would have reattached them. Jimmy Z says, “I wasn't going to fight them on it. Honestly, I was surprised they let me cut them off in the first place.” Some licensors are very hands-off. Kyle Starks currently works on *Rick and Morty*, based on the popular cartoon, and *Dead of Winter*, based on the board game, both for Oni Press. With these two, although it is a balancing act, he’s never gotten a note from editorial in 20 issues and only one note from Cartoon Network (*Rick and Morty*, although rated TV-MA—a cartoon for adults—ostensibly, they see the comic book is a children's book).

Over the course of the interviews, I discovered that work-for-hire and creator-owned comic books work very differently both collaboratively and editorially. While there is more control in the creator-owned realm, there are many different places within the work-for-hire apparatus wherein creators can exert control. The artists and writers work long hours because they believe in the “magic” of comic books. It is in that “magic” that much of the exploitation in the industry takes place; this is caused by the lack of a clear idea about who did what work in the creative process. But by and large, the creators themselves do not see this as exploitation.

Occupation in Occupation

Social networks are invaluable to this population. The industry is all about connections. Many of these connections are positive for the creators who are constantly trying to make an

impression. Diana Shultz says that making that first impression with an editor separate from the work may be key to landing a job.⁴⁴⁰ Another book titled *So You Want to be a Comic Book Artist?* lists “be professional” as its first rule.⁴⁴¹ Regarding the importance of social networks, many of the creators I interviewed related them directly to the process of “breaking in.” Greg replied to the idea of breaking-in by doing a character pose pin-up, “Well, hey. I still love to do that stuff. I really remember that excitement level of getting stuff out there. Like how easily and quickly you forget what it's like to break in. It's easy to forget that. Oh yeah, I guess those sorts of things are a big deal.” D.B. Stanley also said that it was important to leverage his network to find someone that will do variant covers for his book as an independent creator: “Artists always need money. You go to an artist and say, ‘I can't pay you a lot, but I can pay you. The check will clear.’ I don't approach big names because they have got big companies' money.”

What many people in the industry do not see is that working in the comic industry is not just doing the work and getting paid. There are hidden costs to being in the industry that people might not necessarily think of. LaMantia says, “If you are looking at people who are breaking into comics and want gigs at Marvel and DC or go the creator-owned route, it's a lot of everything and not particularly easy and all of it requires you do to a lot of, maybe not work for *free*, but “preliminary work.” He adds, “Things like art school, if you don't go to art school, you don't get the experience of doing pages. You gotta do work for your portfolio. You might do work for clients who cannot pay you or cannot pay you a lot. These are things that pay you on the back end.” In the introduction to *Creative Labour*, David Hesmondhalgh and Sarah Baker state that the difference between paid and unpaid work is primarily the difference between an

⁴⁴⁰ Bendis, Brian Michael. *Words For Pictures*. 154

⁴⁴¹ Philip Amara. *So You Want to be a Comic Book Artist: The Ultimate Guide to Break into Comics*. (New York: Aladdin Press. 2012). 116.

amateur and a professional. The aspiring worker will often do free creative work to build a reputation and hone their craft.⁴⁴² They also state that companies largely take advantage of this labor pool for free work from students. The hope on the part of the students is that their labor pays off later as a foothold in the industry.⁴⁴³

I asked Jon LaMantia what got him interested in comics. “I started working in comic shops; working there spurred my interest in comics,” he said. “I’ve always been a little interested in comics, but working there got me interested in *working* in comics. Many industry professionals shopped there. It heightened my awareness that comics were something you could *do*.” Eventually, the shop closed and the owner passed away. “That death reminded me that a lot of industry elements are very precariously stacked; artists, shops, everything is kind of a straw house.”

To many people in the industry, there are three steps: “breaking in,” “staying in,” and “making it” in comics. The straw house that LaManita describes above can easily collapse down on creative people. In a public Facebook post, Jimmie Robinson offered this perspective on “making it” in comics:

Jimmie Robinson June 11 at 12:33 PM ·

“Making it in comics” is a layered phrase.

For some it means just getting published, holding your book in your hands, seeing it on the shelf next to your favorite title. For others it means making a financial living from the work, supporting yourself and family, going to conventions every year, industry recognition, awards, whatever.

The phrase has deep meaning for each individual. For me “making it” simply meant the ability to share my work as a creator.

I am blessed to have a publisher. I grew up in an era where paper print was the only option, so “making it” meant photocopies, zines, self-publishing, submissions to publishers, selling my physical work at conventions.

But what happens after that? What does “making it” mean at the next stage?

For me, personally, my next stage is financial. I’m in my 50s now and health is an issue.

⁴⁴² Hesmondhalgh, David and Sarah Baker. *Creative Labour*. 13.

⁴⁴³ Ibid. 115.

I'm married, so contributing to my relationship is an issue. So let me officially say, I have YET to "make it" in my current stage.

I am broke. I don't have assets. My bank account can fit in your wallet. I don't have the availability to always pay rent, bills, etc. As an artist, money is a fluid concept.

It doesn't have to be this way. A person can diligently save and invest. Responsible creators, like Colleen Doran, are great examples. But I didn't go that route, I tend to throw everything at problems. That includes money. I get some and I use it for what is desperately needed.

Fighting with depression often meant I never thought much about the future. I often joke with my wife that I won't live into old age. So why hold on to money? Well, I am getting older and now money is a problem.

All this being alive stuff sucks.

Before, I had no problem living in whatever conditions, or eating whatever easy food came around, but my situation has changed and now...

I'm NOT making it in comics.

So I'm investing my time into making comics that will pay for my future. I lost track when I fell into a deep depression. The ball stopped rolling. The monthly money dried up. Now my lovely wife is supporting me more than I'd like. That's just the facts. I get it, but it doesn't have to stay that way. My wife needs support, too. Now I want to be there like I used to be.

So I'm going back to the drawing board. Literally.

I finished the first issue of my new mini-series, I have four more to go. I will pitch it to Image Comics when it's done (around November), I will be at San Diego Comic Con this year, and I will sell art. I will promote the new series and get the ball rolling again. I might get a day job for stability, or even return to Bomb Queen. But I will do whatever I can... To "make it in comics", again.

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The idea of making it in comics means different things to different people, but what Robinson is saying is for him, the high came from the act creating: if that ends up lost for some reason or another, it's very difficult to get it back. In a public tweet about a month before the above post, Jimmie Robinson posted,⁴⁴⁴ "PRO TIP: if you get a break in comics, stay in comics. If you leave and come back later, it'll be like breaking into comics again. Luck strikes only so many times."

⁴⁴⁴ Robinson, Jimmie. Twitter "PRO TIP: if you get a break in comics, stay in comics. If you leave and come back later, it'll be like breaking into comics again. Luck strikes only so many times." May 1, 2018. 8:24 PM.

https://twitter.com/Jimmie_Robinson/status/991518732265537536

In an interview for the Word Balloon Podcast, writer Dan Slott says that he has been “in” comics and then left comics, and he then had to break in again; but he describes every new editor he works with or has a pitch meeting with as feeling as if he’s breaking in yet again. He feels that you never *stop* “breaking in” in comics.⁴⁴⁵

CB Cebulski said in an interview with Brian Michael Bendis that “while getting in is hard, staying in is harder.” He described the competition as extremely high and noted that only a few spots were available. He said that under work-for-hire conditions someone’s spot is not guaranteed, making the work that much more precarious. If there is someone else that does similar enough work but is faster, or someone who is better-liked for some reason, then the first person can be replaced. In that way, once a person is *in*, the competition is fierce to *stay* in and produce.⁴⁴⁶ One of the creators I spoke with compared getting into Marvel or DC as being like getting into the NBA. He says that there are plenty of people who play basketball; many of them play basketball very well; but only a lucky few make it into the big leagues.

Jon LaMantia says, “People will miscalculate their position when they come into this field, and they will expect certain things and end up in a bad position in an industry that largely doesn't give a shit. Film, music, publishing. Most of these industries are, at their core, about eating people up and spitting them out. You know whatever flavor of the month... you are working and working. If you can get your foot in the door and stay in the room.” For the independent creator the road is very difficult to break in and then working hard to continue to stay in.

⁴⁴⁵ John Siuntres. “Word Balloon: Dan Slott – Spider-Man Exit interview.” TI: 142:00

⁴⁴⁶ Bendis, Brian Michael. *Words for Pictures*. 156

J.R. Mounts believes that there is a difficulty to the initial sale (look) sometimes, because of the inherent unfamiliarity: “I want them to ask, what is this? I put at the top of the banner, ‘an indie comic.’ I want people to know that it's made by people.” He pointed at his spot on the convention show floor. “Everything in this row is all independent, made by these people here; and [the product] is hard as well to sell; especially when people are looking for something [they’re] familiar or comfortable with.” For the independent creator, it can be difficult to get noticed through all the clutter.

“Making it in comics,” can mean different things to different people depending on their goals and their choices within this industry. My largest takeaway from this experience was that there much of “making it in comics” has very little to do with the financial component of the work. To some, it’s much more about being a part of a community and the allowance of self-expression.

With regards to financial precarity, consider that idea of “making it in comics.” There seem to be three general positions within the stratification of the industry. The first position is the highest pinnacle: instant notoriety and constant work, sometimes even culminating in an exclusive contract. The next rung down is what I would call a “middle-tier” creator; sometimes, people in the industry refer to them as “workhorses”: workers who are *sometimes* recognizable and *sometimes* have steady work. Finally, there is the lowest rung: the relative unknowns who are initially breaking in or struggling to find a foothold.

Health Insurance, Retirement, & Later life

For most of my participants, I did not flat-out ask them the question, “Is your situation precarious?” I wanted to keep the conversations rolling, and asking anyone direct questions about what they are paid or how they get paid is often considered rude. Any perceived rudeness

on my part might lead to distrust about my own politics, or a fear that I may have an agenda. There were ways to build to the topic without asking outright. For instance, Sanford Carpenter describes the idea of building trust during the ethnography of his comic creators by directly asking these questions but allowing the responders to edit comments or clarify after the fact.⁴⁴⁷ I, on the other hand, could not build up long-term rapport with most of my participants. My way at getting at the core concern was asking it in a more roundabout way. Some of my participants brought up pay or precariousness on their own and, I followed up if they did. For most of my participants, I just used the slightly-less-rude metric of health insurance as barometer of precariousness. Following the passage of the Affordable Health Care Act (in 2010), it became a law that if an individual did not have health insurance, they would be assessed a “fine” through additional taxes. In a sense, everyone would have to access to healthcare and assess whether health insurance was in their best interests or taking the additional tax burden was. If a hypothetical person properly does the math, then they would know that if they get sick even once over the course of a policy year then after having to pay the medical bill and the tax assessment, the health insurance is the better deal in the long-term. However, taking on the burden of a monthly bill which may in some cases be in the hundreds of dollars is, for the precarious freelance worker getting insurance on the marketplace, such a large expense that it amounts to an unrealistic expectation. For many freelancers, there is no expectation of a steady paycheck; they have no idea whether the work will continue to come or how much it will pay when it does.

Many of the freelancers I talked to were very realistic about the taking on of extra tasks involved with freelancing. When I asked Ali Cantarella how she juggles various income streams

⁴⁴⁷ Carpenter, Sanford W. “Ethnography of Production: Editor Alonzo and the Sale of Ideas.” In *Critical Approaches to Comics: Theories and Methods*. Ed. Matthew J. Smith and Randy Duncan. (New York:Routledge. 2012).

and keeps it all straight, she replied, “As a freelance artist you need to really keep track of your sales, your expenses, keep track of your receipts, have a good accountant that will file everything. Stay organized throughout the year. I use simple spreadsheets. Some people do more complex stuff. I file as a sole proprietorship, I have friends who do LLCs. Thanks to the new administration, there are some changes that are kind of a pain.” She went on to note that, “salaried or hourly, you'd get your taxes taken out of all your checks anyway. For me, I have to reserve it aside. It seems like a bigger hit because I see it go all at once.” Thom Zahler says, “There's a phrase that's sometimes funny, sometimes makes me burn with the rage of a thousand suns: that's ‘adulging.’ But people who say it are adults, they are always adults. I am not ‘Tomming,’ I am always Tom. You're an adult, your job is to do adult things; that sucks, I get that. You don't play all day. Your job is to take care of those things. And it's lousy, but it's part of the world.” He likens this idea of adulging to freelancing:

When you go freelance, there are times you wake up at three in the morning screaming. So when you do it, you want to make sure you went freelance because you *wanted* to. I love the amount of control I have over my job. I had a relative once tell me, ‘I couldn't do what you do because I couldn't live not knowing where my next paycheck is coming from.’ I replied, ‘You don't actually know where your next paycheck is coming from; the difference is *I* just know what my boss is doing about it.’ So I understand to get the kind of control I have, there are other things I have to take care of. That's the trade. You accept that that's part of the deal.

Because of the concerns in their text, David Hesmondhalgh and Sarah Baker argue that there is a significant change in the labor market where there is a cleavage between people who labor in relative security and those who drop in and out of any kind of employment, with many people living on the margins.⁴⁴⁸ Jon LaManita says of the precariousness of freelance life:

So much of this is not thinking about the alternative. I cannot think that that will be the end of it. As an example, I had a freelance job I thought I had in February; turns out it's not coming through 'til July. That's the first half of the year I thought I had money, I was

⁴⁴⁸ Hesmondhalgh, David and Sarah Baker. *Creative Labour*. 69

expecting it, and it didn't work out and now I'm like, 'I guess, that's cool. Ugh.' My wife is also freelance, now. So we are *very* stable, ha! Now we're both doing it. I've had to emotionally support her in the way that she supported me for so long. You have to believe you'll find something. Because if you don't; even if you don't find something, you'll be able to have the tools to figure something out. Or give yourself those tools. It will be fine. It will be okay. I believe that, because it has worked out historically. There will be a moment where it might not and I'll have to figure something [out]. I can't—my anxiety—so much of anxiety is centered around what *might* happen. A lot of things might happen. But I have to figure out through this stacking of things how to be comfortable with the position of things, the precariousness everything is in. I have to find a level of comfort, a level of acceptability, that it's going to be okay. If it's not, I have to be comfortable that it was not supposed to be permanent anyway.

In the statement above, LaMantia expressed the concerns of many in this precarious class of workers. In his text on the precarious life, Guy Standing associated the precariat with four things: anger, anomie, anxiety and alienation. He states that much of the idea of anger comes from dead-ended-ness, anomie comes from the listlessness of constant insecurity, anxiety from chronic insecurity, and the alienation comes from always working for the ends of others.⁴⁴⁹ LaMantia and I continued our conversation about the difficulties of the freelance life. He pointed to a recent example in the news about a mainstream (and well-known) comic book artist in the 1990s that was now homeless. In the weeks before I interviewed several of my participants, a story broke in the “comics internet” about a former comic book artist that was at the highest peaks about 20 years ago and had since fallen on hard times. It was republished across several comics news sites, but originally came from Fox 2 in Detroit. The story was about Bill Messner-Loebs, who had been an artist on *Wonder Woman*, *Thor*, and *The Maxx*; in the time since, he had ended up homeless due as a result of medical bills and rising house costs.⁴⁵⁰ Furthermore, since his time working on the aforementioned properties, each of them has been turned into TV or

⁴⁴⁹ Guy Standing. *The Precariat: The New Dangerous Class*.

⁴⁵⁰ Kevra, Derek. “Comic book artist worked on Wonder Woman & Thor, now homeless.” *Fox News – Detroit*. Pub. Mar. 27, 2018. <http://www.fox2detroit.com/news/local-news/one-armed-comic-book-artist-worked-on-wonder-woman-now-homeless-in-michigan>

movie property In reacting to that story, Jon LaMantia said, “There’s no safety net here... In order to even qualify for our industry charity, The Hero Initiative, you have to be published for ten years. TEN YEARS! In an industry where you're lucky to stick around for more than three. The Hero Initiative is great, they do great work, but they designed it for the older generation. The generation that was able to do it. This system is not future-proofed for the people that are in it now and that will be needing it.”

When I asked about possible solutions, LaMantia indicated that he was not sure about options, but he knew that at least in the case of another creator who had also fallen on hard times, the best they could do was give him more work. “It's good he could do the work, but what if he couldn't? They couldn't just give him a handout.” He continues,

That's the shitty part. When it comes to comics you have a lot of talented people, and the powers that be at the big companies, it's not like they're made of money either. It's like, why don't I get anything from the movies? Because that's a different industry. It's just different. I'd love it if they put money in the hands of those who build it. If that was the case, America would be a very different country. We haven't set up systems to help people who build things. This is the structure. People who built these foundations. Someone like Jack Kirby built a wall. These are people that built an industry; it's not that they're forgotten, but it really is a lot of ‘what have you done for me lately?’ or ‘what can you do for me that can make what I can pay you?’ Work-for-hire means you get paid X-amount of money, which is usually small, especially if you're starting out. What happened to those creators? They had shitty contracts, they weren't thinking about getting rich, making a movie, they just needed work. Kirby just wanted to make a comic. There is now a whole mess of stuff you can think about, and you can, and you should, because that's the world we're in now. Getting irritated about Jack Kirby signing a contract or getting into a work-for-hire situation, psychologically that's not good, because that was everyone at that time. Everyone was trying to get by, and it hasn't changed a great deal.

Not everyone in the industry adjusted to precariat-ness in the same way. Thom Zahler describes his experience: “So when I started in 2001, I joined a chamber of commerce so that I could have access to the group benefits package they had. I looked into this before I went freelance, because it’s the adult thing to do. Your job is keeping yourself alive. When people complain about an aspect of their job, like taxes, that's part of the job. No one becomes a doctor

and says, ‘I don't like the blood.’ You knew that going in. Being self-employed means that you have to handle taxes and healthcare.”

Of healthcare specifically, Zahler says:

I was on a health savings account, a phenomenal plan for me. You can bank money and roll it over infinitely. It's not a flex savings, it banks every year. It went great. My particular experience was, and maybe not indicative of it, I noticed that my rates skyrocketed about the time of the ACA. I'm paying triple what I was when I started, 15 years ago. I know I'm older. Every year I have to see if my plan still exists, because I was grandfathered in. It's a regulatory and business nightmare that I can't plan. When they put forth the ACA, my plan was supposed to go away. I was supposed to go on the exchange. I had paid attention, and saw the place I was thinking about going with on the exchange was leaving [my home state]. So I didn't go on it. If I ever give up my old plan, I don't get it back. The numbers are weird with the subsidies. It gives me an incentive to have a bad year. You shouldn't give me a reason to try to not make money. You should have me try to make money. I don't like the estimate tax system for the same reason. Just let me pay what I've been paying, then I can plan for it; I don't have to guess. Besides my house, it is the most expensive recurring purchase. It's worth it, it's expensive. I want a system where everyone gets covered, I just feel that the way they implemented this system damaged the system for people who were doing what they were supposed to. I put a lot of work into figuring this out.

K.J. Kaminski speaks similarly of incentivizing a bad year: “In California, I am a part of the affordable market place. The reason it's inexpensive is because I don't make a lot of money. The guys who work for me are work-for-hire independent contractors; they are making their page rate and paying their bills. I know those guys have a harder time with insurance.”

For people outside of states like California, health insurance might be unobtainable. Sometimes, the reality is a very different thing; even solutions such as Zahler's own as explained above may be too much of an expense for some. Many of the creators I spoke with are just going without insurance. Gabby Rivera said, “I don't currently have health insurance. I left my nonprofit to follow my dreams. I am currently one of the 400 million Americans who don't have insurance. It's crazy and I hate it. I have asthma and high blood pressure. I pay out of pocket for all my medication.” JimmyZ said similarly, “I haven't had it for 10 years now. I've been rolling

the dice, it's been not too bad. There are some things I should have insurance, but it is what it is. I can afford what I can afford. There are some times that insurance makes sense.”

Many people in the industry, even seasoned professionals, rely on their spouses for.... D.B. Stanley says he has insurance “...through my wife. If you're freelancing, you're paying through the butt one way or the other. At least marry someone responsible.” Jeremy Haun said that some life choices have been made because of health insurance entirely. “My wife has good insurance at her job. She was thinking about changing jobs. We looked at the exchange, especially in (my home state); there are few choices. We had to make some smart choices about what was best and maybe staying where we were at [was better].” For some, the safety net is important for peace of mind; Sara Rude-McCune says, “We both get health insurance through his company. I've been watching the stuff with the health insurance on the news and I count myself lucky that I'm taken care of. I grew up in a house where we had regular doctors' appointments like clockwork. If I needed new glasses or whatever I could get it taken care of. If I didn't have that safety net, I don't know what I'd do.” For B. Clay Moore, the safety net of having insurance is one thing, but even with insurance, medical bills may be too much, “For me, it's my own separate paid-for health insurance. My wife and I have three kids and they are all covered; well, it's paid for, anyway. She's a teacher and has crappy health insurance. It's expensive. If nothing else, I'm just going to sink myself if I end up going to the doctor. Going bankrupt doing that. I try to stay healthy.”

Ashley Witter says that it has been difficult to not have health insurance; she says she had just bought it a few days before I talked to her. “For the first time in my life, I have it. I skated through life on free clinics and Medicaid. When I landed the Marvel gig, I knew that then was the time to get real health insurance. I pay for it now. It's within my reach. It's really tough, my

whole professional life I didn't have insurance. When you do conventions, you are exposed to a lot of people and you are going to get sick.”

Comic book companies argue that they cannot offer health insurance to the freelance laborers because of the transient nature of the employees and the associated cost. However, these companies *do* have some labor that is constant such as editorial and administrative positions to whom they do offer health insurance. In June 2018, in a Pride Month article, it was noted by a newsweekly in Portland, OR, that Dark Horse comics does not offer health insurance to cover transpeople or those with gender identity disorders. While by state law it is illegal for a company to discriminate against anyone based on sex, including for insurance purposes, Dark Horse is “self-insured,” which means that the law allows them to do so.⁴⁵¹

Not all precariousness comes from health-related issues. I used the health care question as a starting point but many other issues are interrelated to that precariousness. Some of the precariousness comes from already being in debt. Many people are now putting off paying for retirement, cannot pay for healthcare, putting off major life purchases and choices because they are so indebted to student loan companies. Millennials and Generation X are increasingly indebted and finding it difficult to make ends meet and save for the long term.⁴⁵² Student loans are a huge deal not just for creatives, but for many people in America. When I asked Ali Cantarella about her education, she said, “I have a BFA from Colombia College in Chicago. I paid a lot of money for it. My dad paid a lot of money for it. I'm still paying a lot of money for it.

⁴⁵¹ Alex Zielinski. “Dark Horse Comics: No, We Won’t Cover Trans Healthcare.” *Portland Mercury*. Pub: Jun 15, 2018. <https://www.portlandmercury.com/blogtown/2018/06/15/20613120/dark-horse-comics-no-we-wont-cover-trans-health-care>

⁴⁵² Tanza Loudanback “Millennials are delusional about the future, but they aren't the only ones” *Businessinsider.com*. <https://www.businessinsider.com/millennials-gen-x-delusional-homeownership-retirement-2019-4>

I have a private loan that is about half of the amount of my rent... In theory, I could work with an advertising and design firm. I recognize that as a lucrative and comfortable option. But it's not, at present, what I'm interested in.” Artist Jen Bartel, when asked about her time in art school, posted her reply publicly on Twitter; it states in part that she doesn't regret going to art school, but that it was a for-profit institution and much of post-grad life will be spent strapped for cash because of loans.⁴⁵³ Several of my participants said that this is something many artists wished prospective clients would take into account when assessing cost of an artist; the fact that artists are often not getting wealthy off the fees they charge, and that artistic training likely was not free.

Ali Cantarella breaks down the numbers and explains the problem for creators. “In indie comics, it's understood that \$20-to-\$50 per page is about what an average Joe making his own indie comic can afford to pay an artist. Bigger independents can pay \$100 a page. These numbers are not financially viable. It takes me anywhere from 9-to-12 hours to pencil, ink, scan, color, digitally render and finish a page.” She believes that that these low rates are not only bad for the individual, but also bad for the industry. “If you're making a maximum of \$12 an hour before taxes, before health insurance... absolutely not livable. These are standards that are understood, unchanged, and unchallenged. Because artists want work, they take them. Because independent people want to create, they believe they can pay. It makes the system not livable. It drives people out of comics that would otherwise make incredible comics and incredible stories...” Richard Florida described this in his book *Rise of the Creative Class*. He stated that the pay may not be

⁴⁵³ Jen Bartel's Twitter. < posted as photo screen captures > Pub. May 1, 2018. Accessed May 25, 2018. <https://twitter.com/heyjenbartel/status/991105281324212225>

good, but each client allows one the opportunity add one's own personal touches.⁴⁵⁴ In theory, under these conditions the rewards come from the work itself; not from the pay.

Such realities aren't unique to the comic book freelance world. In *Raw Deal*, Stephen Hill describes his experiences in the freelance world. "Suddenly I was responsible for paying for my own health care, arranging for my own IRA and saving for my own retirement. I also had to pay my employers half of the social security payroll tax, as well as Medicare." He goes on to say, "I didn't get paid for those many hours which I had to query the editors for the next article or lecture, or conduct research and interviews." Finally he also says, "I had to track my many sources of income, making sure that unscrupulous editors didn't stiff me."⁴⁵⁵ Hill describes someone else's experience as like that of a hamster in a wheel, running faster and faster. Someone in the freelance economy could spend more than half their time looking for work or commuting, saying nothing of the people who solicit for work and flake out.⁴⁵⁶ Matt Stahl relays that Pierre-Michel Menger wrote that historically, we have thought of artistic labor as the reverse of work; in fact, creative work is now becoming the model for the new worker—and this should be worrisome, because the development of these things creates further disparities and increases antisocial-ability.⁴⁵⁷

The freelance life is becoming more and more commonplace, especially in fields previously considered to be regular work. Workers in the comic book field are looking at long-term ideals, which make choices such as not having health insurance or retirement easier. It's "making it" and witnessing the "magic" of comics that makes the 12-to-14-hour days easier.

⁴⁵⁴ Richard Florida. *Rise of the Creative Class*. (New York: Basic Books. 2002). 86.

⁴⁵⁵ Hill Stephen. *Raw Deal*. 9.

⁴⁵⁶ Ibid. 11.

⁴⁵⁷ Stahl, Matt. *Unfree Masters*. 12

There is little recourse for these workers, as the wages are largely determined by the marketplace and the working conditions are largely determined by the collaborators and editorial. Throughout my interviews, it emerged that the people with whom I spoke were able to make ends meet through various means and were often, through their work, fulfilling a lifelong ambition to create.

Chapter 6: Many Super-Powers Come From Toxic Spills, Right?

In humans, the instinct to create is strong. Zygmunt Bauman points out that the explanation of this instinct of artistic labor and creation of fiction comes from one of two theorists: either Richard Rorty, who suggests that artistic fiction “promotes a reconciliation with the contingency of life and the polyphony of truth,” or Umberto Eco, who believes that artistic fiction offers “us the pleasant impress of inhabiting worlds in which the notion of truth is unshakeable; by comparison, the real world appears to be an awfully uncertain and treacherous land...”⁴⁵⁸ For these reasons, creating art is a job but in many ways it is so much more.

“Let Creators Create”

A thread that weaved through a few of my interviews was not a response to a specific question I asked; it nevertheless seemed to come up over and over. This was the idea of “getting out of the way” and letting creators create. Pak and Van Lente stated that the first rule of collaboration for them was to “let creators create.” They note that everyone who is brought into the process is there because they are a creative person—it follows, then that they should be allowed to do what they’re there to do: create.⁴⁵⁹ When Matt Stahl interviewed with storyboard artists, he found that they were most bothered not by long hours or a supervisor’s tantrums, but by the inability to truly create. “They were expected to be drawing machines.”⁴⁶⁰

One method by which creators often found their creativity limited was through “pigeonholing.” Greg Smallwood said:

⁴⁵⁸ Zygmunt Bauman *Postmodernity and its Discontents*. (New York: NYU Press. 1997). 119

⁴⁵⁹ Pak, Greg and Fred Van Lente. *Make Comics Like the Pros*. 82.

⁴⁶⁰ Matt Stahl. “Privilege and Distinction in Production Worlds: Copyright, Collective Bargaining, and Working Conditions in Media Making.” In *Production Studies*. Ed. Vicki Mayer, Miranda L Banks, and John Thornton Caldwell. (New York: Routledge. 2002). 68.

I was thinking about alternate source of income. I couldn't get spare time to draw a book, but may co-write a book. I took a pitch to a company that was cover artist and writer. And they are really resistant. I could tell, they were like. "Writer?" It's like I'm starting over. You have to show it. I have clout as an artist, but not as a writer. So, I need to show it and then they really need to have other people validate it. With *Dream Thief*, it helped that I was [the] new kid on the block. But it's all just hype.

In my interviews, I repeatedly heard stories about frustrated creators not being allowed to be creative. Writers suggested that companies were worried enough about diversity now that if you were a male creator, editorial was now unlikely to place you on a female book; the same was happening with books that primarily featured minority characters. During an interview, one creator said:

The biggest problem is getting readers. This isn't an anti-diversity argument, but I was talking to publisher about a story set in feudal Japan. He said, 'I cannot go back to my editor with a Japanese story written by an old white guy.' So I said to him, 'you're saying I can only write stories about old white guys?' [Frustrating.] I love that the industry is getting more diverse with race and gender. But when it turns from a more inclusive place to a 'you are now on the outs because you are not the place for inclusivity.' Marvel was doing a story about a Native American hero; they canceled the series because it wasn't a Native American writing it. The net result was that the comic, that may have been cool or interesting, never happened. The need for diversity said it was better to not have the comic than to have a white guy write it. I got into this argument online about this, someone posted a clickbait thing about 'don't read cisgender white males. The problem in the industry is straight white males, you need to read more people of color, more women, more Asian trans people.' I said, "Okay, explain this to me. I'm a straight white guy. Today, don't read my book. If I sleep with a guy tonight, tomorrow it's okay to read my book. How does that make sense?" It's the wrong way to approach the situation. That's not the problem. More diversity is good thing: I say this realizing that someone could come back to me and say, that's your white privilege talking; I'd like to think it's not. I would like to think that I'm saying 'me over them'; we can coexist. There's plenty of room for me to write a samurai comic and someone who is Asian to [also] write a samurai comic. In the end, the perspectives can be different; their story is different. If three different people write Batman, they are all going to be different stories.

This frustration is not only coming from the "cisgender white male" side of the conversation, either. In an article, industry legend and African-American creator Christopher Priest talks about his frustration as a black writer. He writes about how he used to be a person that would write Spider-Man and Batman, then over time that changed and DC and Marvel would try to offer him

a black or a Latino character. His response was that he was not interested in being typecast. Through that process, Priest learned that Marvel and DC were “hiring“ writers less and less and were “casting” writers instead. What this meant was that the companies would go onto social media and listen to the fan suggestions:

They’re listening to chatter on Twitter insisting that only a black lesbian writer could write a black lesbian character, and that’s nonsense. A writer writes. Tom Clancy, rest his soul, could write anything. A writer writes. All of a sudden I was no longer qualified to write anybody that didn’t look like me, and I resented that.⁴⁶¹

For these companies, chasing buzz on social media and trying to leverage social media presence for sales and relevance is very important.

Digital Social Networking

When I asked questions about social networking, most of my participants assumed that I was asking about digital social networks such as Facebook, Twitter or Instagram. It’s not entirely surprising that they would interpret my question in that way, considering a big issue the industry was dealing with, which I learned over the course of my interviews, was the question of digital networking and how best to utilize it. This was covered in the previous chapter.

Many of my participants looked at digital social networking as an opportunity to market themselves; then the next thing they said was invariably that they were “probably doing it wrong.” Over and over, I heard some version of the same response that I received from Ali Cantarella: “I’m not great at it. There are articles and things out there to become a successful influencer or like what hashtags to use. The algorithms are changing all the time and reach is difficult. I always think I’m doing good and then I see my friends with 60,000 followers and I’m

⁴⁶¹ Magnett, Chase. “Interview: Christopher Priest on Being Black in Comics and the Industry’s Future.” Pub. Feb. 23, 2018. <http://comicbook.com/comics/2018/02/23/christopher-priest-interview-black-comics/>

like, ‘maybe not.’ In theory I’m doing the same stuff, but maybe it just takes time.” On repeated occasions, the creators I spoke with said something along the lines of, “The internet seems to be the place to be, and I’m there, but I don’t feel like I’m in the right place or that I’m doing it right.”

Ashley Witter says, “I need to do more social media. I have loyal friends and fans. I am trying to get more into Twitter, Instagram and YouTube. I know those are exposure for artists. Without it, not that many people can find you. If you do this for a living, part of it is promoting yourself online.”

Dirk Manning said that having a website or having a social media account creates presence and a sense of always being in sight.⁴⁶² Pak and Van Lente said that in addition to using it for the fan interaction, they also use Twitter and other social media for joking around and “sitting around the watercooler.” However, they maintain that even what seem to be pointless discussions function a way to maintain professional relationships.⁴⁶³

The various media platforms speak to different audience segments. Each platform has a formal quality that results in different forms of speech. Twitter only allows for short messages, which results in more engagement; but, due to the same restriction, it also tends to be shallower engagement. Facebook encourages users to “like” sites whose posts will then appear as deeper engagements; these include threaded replies and updates on changes to those posts. Instagram is primarily a visual site where users post pictures and drawings; it functions well as a place for artists to show off their work and processes. Because of these disparate methods of interaction,

⁴⁶² Manning, Dirk. *Write or Wrong*. 96.

⁴⁶³ Pak, Greg and Van Lente, Fred. *Make Comics Like a Pro*. 131-132

each platform's audience strikes a different chord. Often, this chord is not stricken in the manner a creator would hope for.

Author and DC Comics writer Brian Keene quit Facebook because of the lack of reach he experienced in its algorithms.⁴⁶⁴ For him, the messages that Facebook put out to people were not reaching his desired audience. In the end, he encouraged readers to join his e-mail newsletter instead. I noted that people at comic conventions were leaning quite a lot on their e-mail newsletters. I asked a creator why they would encourage e-mail rather than using Facebook or Twitter, and she told me that e-mail is something *everyone* has, eliminating the problem of how to reach someone who isn't on Facebook, or Twitter, or Instagram, etc. She also said that it allowed for a non-intrusive peek at upcoming projects; this allows the creator to meter the interaction rather than feeling as if they have to update all the time or worrying that they don't update often enough.

Artist Kyle Stranham described how social media could work to build a fanbase:

[Social media can be] helpful or hurtful; it can be either. I've seen a lot of people be really sloppy there: 'eh, why would you say that?' I know people get a lot of traction there. I don't think you can just *create* a fanbase, you have to have other stuff going on there. Some people say stupid things without the notion of consequences. I've heard of people who were in the running for particular jobs, some they didn't know [they were being considered for], and then those editors see what they posted on the social media; hateful things, not like Nazis or hate speech, just complaining all the time, and the editor was like, 'I don't really want to work with this person.' In that case, they lost a job they didn't even know about because they couldn't just be positive. I try to be positive on the internet. I don't do it all the time, I'll complain about something and delete it later because I'll realize there's no reason. What good does that do? The internet gives a voice to people who don't have a voice. People can also leverage if they don't have a large fanbase, they use it well, they are vocal in a positive way that leads to actual conversation to help things. I'm not in that position. I just keep my mouth shut nowadays. I didn't always. I'll be vocal about some things. My reach on twitter isn't that great. I like

⁴⁶⁴ Jude Terror. "Another Writer Rage-Quits Social Media Platform... and the Reason Why Might Shock You!" *BleedingCool.com* Pub. Mar. 13, 2018. <https://www.bleedingcool.com/2018/03/14/brian-keene-rage-quits-facebook/>

Instagram better because I [can] show a thing. I can post about things I'm into, and fans come up at like shows and we can have a conversation about this thing we're both into.

In using social media effectively, Kyle Stranham then begins building the “presence” that these creators feel they need.

“Me Inc.” and the Gig

In her book *Company of One* Carrie Lane describes freelance white collar workers:

“They saw themselves as ‘companies of one’; entrepreneurial agents engaged in the constant labor of defining, improving, and marketing ‘the brand called you.’”⁴⁶⁵ I saw this very same thing in my study of freelance employees as well as while at comic book conventions. Walking around a convention, most of the time you mostly see mostly men in button-up-but-casual shirts sitting on folding chairs behind six-foot tables. The more established creators will have spent money on a fancy banner to drape behind them. Along these aisles, eye contact will often solicit a friendly gesture, a “hello,” and then a sales pitch. On the other hand, many of these creators are working on commissions at their tables and rarely look up. It often depends on that particular creator’s motivation for coming to the show. Sometimes, a convention is a place to hawk wares; other times, it is primarily a promotion or networking opportunity and anything that sells that is just a nice bonus. Which motive is evident depends on the creator’s specific approach to any given convention.

In an interview, when asked whether art should speak for itself, independent creator Ali Cantarella stated, “You’re the face of your art ... I’m selling me as much as I’m selling my

⁴⁶⁵ Carrie M. Lane. *A Company of One: Insecurity, Independence, and the New World of White Collar Unemployment*. (Ithaca: Cornell University Press, 2011). 9

book.”⁴⁶⁶ In order to promote her work, Ali Cantarella states that she attends 20-to-30 conventions a year.⁴⁶⁷ I met Ali Cantarella when I moderated a panel she was on with several other creators at a comic book convention. After the talk, she suggested we should all go to her booth to check it out. The first thing that caught my attention was the fact that she used an attention-grabbing booth; she also dressed herself so as to represent which of her various books she was selling at any given time. When I asked her about it, she replied, “The only thing selling my stuff is the quality and the character behind it. So I feel showing my face-to-face interaction with the consumer directly results in more sales than if they were just searching around on the computer.” As she was dressed up at the time, I asked her about the current character she was affecting.

“So right now it’s not terribly different from myself. At first, my comic was *The Hasty Pastry*. It was the only product I had. I’d wear a pink apron and had a very pink setup and pastry aesthetic. That started to be disingenuous to the current work. As I started to cultivate a bigger and bigger portfolio on the table, I had to adjust my character to reflect that. Now I am an elevated whimsical, kinda like woodland sprite meets gypsy bohemian traveler. I use leaves and gauzy fabrics, suitcases, and match them with my own clothing which is very jewelry heavy. Very distinctive. I want my look to mirror my art. I’ve had many people come up and want to tell me they love my hair, dress, or necklace. This can lead to a sale because I’ve already engaged them. I think it helps. They see my art, they see me, and they see the authentic representation—that it’s not just for a sale.

⁴⁶⁶ *Cocktails and Comics* "Episode 2 Ali Cantarella The Wet Stain". Pub. Nov. 9, 2015. YouTube. Accessed July 17 2017. <https://www.youtube.com/watch?v=-rcEG56Khus>. TI:7:15 – 7:33

⁴⁶⁷ *Ibid.* TI:6:50

But Ali's work doesn't just stop at her table: she effectively promotes herself as her brand beyond the convention. Upon looking deeper into how she promotes her image, her social media acts as a travelogue and her Patreon supplements her art & travel image: as an award for her patrons, she sends them a postcard of her art created in a place she visits, sent from that place, and it includes a personal message.

Later in my interviews, I ran into another comic book artist with a fancy table display and somewhat dressed as their character. The artist, Jamie Premeck, admitted, "I may have learned it from Ali Cantarella. I learned a lot from her; table display, how she dealt with fans, that part of it." Later in our conversation she adds, "This is not how I dress normally. The other day, I realized how much I was putting on a 'persona' for shows. Someone said, 'I don't know why all your stuff is black and white; clearly, you are a colorful person.' If I'm not at a con, my whole wardrobe is black. It's the comic form of being a drag queen." I asked her whether it actually worked to stimulate sales. "Marketing is a part of it. My normal self doesn't work for sales. I'm introverted and had to come up with a version of me for shows. Disassociate a bit. I did a talk at the school about how to break into conventions and literally told them, you may need to have an act or new identity if you're not naturally extroverted." In this way, the comic book creator is selling themselves as much as their work." Caldwell explains that workers in creative industries have to cultivate a "personal brand" that is transportable.⁴⁶⁸ This segues into uses of social media.

Pak and Van Lente advise that comics pros "Develop your public voice." They advise creators to handle themselves online to their comfort level, and to set limits at that level because the work is associated with the public persona in comics. That public persona is built "post by

⁴⁶⁸ Caldwell, John Thornton. *Production Culture*. 271-272

post and tweet by tweet.” They gave three simple rules: “Don’t Tweet drunk or angry,” “don’t slag on other creators or companies,” and “don’t feed the trolls.”⁴⁶⁹

Writer Gerry Dugan, stated in one interview that when he was involved in creator-owned projects, he felt as if he had to be his own P.T. Barnum.⁴⁷⁰

It seems that the trend among these creators is to create a brand and then scream it from the highest social media mountaintops. They do this because, in many ways, social media has weaved itself into how the comics industry operates. Travis McIntire, as a smaller publisher, says:

When we get a book that comes in, we ask, ‘are the story and art good? Do they fit? Is it sellable? Is it cool?’ As a good editor, I’m going to do a deep dive into your social media presence; what’s your footprint? How many followers do you have? How often do you talk about your stuff? If you come at me and say you don’t care about it, you don’t have that stuff...Do your 100 people talk to you? Are they into what you’re doing? Are you interactive? We’ll put together a plan and we need that to happen. Sometimes it may include a Kickstarter or crowdfunding or preorder campaign.

Crowdfunding

Kickstarter, GoFundMe, and Patreon have created a massive sea change within creative industries. These services offer a lot of promise to allow direct fan interaction and circumventing the traditional model of publishing companies. The opportunity for profit and visibility of the product is very high. In some ways, there is a bit of a Social Darwinist ethos present in the idea of “takin’ it to the fans.”

However, the risks are high. Instead of being defrayed into a single corporate entity, now they are diffused within the audience. The marketing for such a campaign is put solely into the hands of the creator. The creator becomes creator, marketer, accountant, envelope stuffer, etc.

⁴⁶⁹ Pak, Greg and Van Lente, Fred. *Make Comics Like a Pro*. 132.

⁴⁷⁰ Siuntres, John. *Word Balloon: Gerry Dugan*. Chicago ti:56:00

Many of these projects bottleneck because, even with the best of intentions, sometimes individuals are just not very good at all or any of these skills.

The rise of these social media platforms might mark a return to the old style of independent publishing. Travis McIntire, who was on the frontlines of the 1990s independent boom while he was at Caliber Comics,⁴⁷¹ says:

You can come to a publisher like us, Boom as larger example, Aftershock as a newer example, things like this. You can put out a book yourself and start getting a presence yourself. This is a huge paradigm shift. You look at indies, the true indies, something like “Teenage Mutant Ninja Turtles,” the first true black-and-white hardcore indie, truly self-published, they didn’t go through Caliber or Dark Horse or Oni. They did their thing entirely; they made this. We had a cheap printer. If you have any idea how to use illustrator or Photoshop, which I learned how to do pre-press from YouTube, I’m a lot better now. I’m self-taught. You can do it yourself. You can make it look awesome! Just do it! It’s a huge paradigm shift on how people make comics. It’s beyond the digital revolution to buy comics. It far past that. The way people buy comics is different.

MIT Technology Review says that this is the way many businesses are testing products now. Crowdsourcing is good for a company because it creates another channel of revenue and builds relationships with potential customers.⁴⁷²

Kickstarter

Kickstarter is probably the biggest name in this new social media and crowdfunding landscape. A few years on, I’d characterize comic book projects as having a ‘hit and miss’ record on the platform. There are stories of meteoric rises and also of massive failures. For good or ill, many of the people trying to break into comics now use Kickstarter as a proving ground for their new concepts.

⁴⁷¹ Caliber Comics were the publishers of James O’Barr’s “The Crow,” which eventually went on to become a major motion picture.

⁴⁷² Leber, Jessica. “Backers With Benefits: Why Companies are Outsourcing to Kickstarter.” *MIT Technology Review*. Pub. Feb 11, 2013.
<https://www.technologyreview.com/s/510616/backers-with-benefits-why-companies-are-outsourcing-to-kickstarter/>

Travis McIntire, as a publisher for a small-to-medium press, says of Kickstarter that it is now important to his publishing choices and intertwined with social media:

...We are in an era where creators, for good and ill, have an unprecedented ability to connect in a personal way with fans. You no longer have this thing where “I’m so-and-so the great writer and I need to sell 15,000 units for it to be worthwhile.” You can work this out, you need—I tell people—you need 200 people willing to back you on Kickstarter for you do your first thing. A one-shot. Don’t overreach. Then you need to scale up to where someone like us are interested, and you have 350. You are growing your footprint, you are engaging on social media. Next I want to see 500 preorders on a website knowing it’s going to be eight months before a Diamond release. Then we’re going to tour this book. Now you have 500 people into your stuff and [who] will follow where you go. Click-and-buy. You get to 500, now you have a publisher behind you that’s doing all the shows, everything else. We’re going to say you have 500, we’ll do another 2,000, you’re going to basically go on tour, shows, book stores, doing signings, by that time if you have 2,000 people buying two or three things you do in a year you now have a part-time job. If you get 4,000 people, you have a full-time job. 4,000 people is all it takes to make it full-time. This is why social media gives you a tiny part of that to get started. Get started right now with 200 people. 200 is a manageable number. If you can reach out to that many, make a personal connection with them and get them interested in what you’re doing. Obviously, this requires some talent; you have to be able to write or draw, but you can start taking steps. That’s what’s really different right now, you can all this stuff yourself.

He suggests implicitly that as independent publisher, much of his company’s risk is focused on creative people; creators who already have firm footholds and who have enough faith in the product that that they have already created Kickstarters, by comparison, are those his company knows are more likely to deliver.

Of Kickstarter, artist Ryan Browne says that even though the terms of the Kickstarter say that the backers are taking the risk, he believes that he as the creator should take the risk and that the backers are there to help him fund the last leg of the campaign. He sees Kickstarter as way to make projects in the long-term. As he has done multiple Kickstarters, he talks of a dedicated fanbase that follows him from project to project. That dedicated fanbase is enough to support the projects he does, because the math is different when you are “more direct than the direct market.” He states that he has about 600 sales through the site, which is a quite good for a

Kickstarter. However, if that was all the volume he had sold through a publisher, 600 units would be considered a disaster because of all of the people who would need to take their cut all along the trail to get the product into stores. He continues on to state that fans who back a Kickstarter are different from the average fan because they are willing or able to take risks with money. Someone who goes into a store expects product-in-hand. Not all Kickstarters deliver timely results—and some never deliver at all.⁴⁷³

Not all of Kickstarter is a simple tale of ‘stand and deliver.’ Take, for instance, the fact that consumer skepticism is hurting Kickstarter in the long term.⁴⁷⁴ It was estimated that in 2012, 84% of the top Kickstarter projects shipped late.⁴⁷⁵ People who ran Kickstarters campaigns then never delivered the product have caused potential customers to turn away from the platform. This brings us to a looming question for the platform: is Kickstarter simply avenue through which to offer pre-orders of finished products, or is it a space for proof-of-concept showings, or is it a place for people who have an idea and cannot implement it in any other way? Each of these three ideas manifest products very differently. The platform itself seems to run on each of these but, the variations do create some customer confusion as to the actual delivery of products. Because of these variations, there is an open question as to exactly which void Kickstarter is intended to fill. Is it for startups with no other funding options, or can larger corporations use the space as well?

⁴⁷³ John Siuntres. “Ryan Browne / Howard Chaykin Two Rebels In The Comic Book Industry” Word Balloon. (Audio Podcast) Pub: Apr. 25, 2018.
<http://wordballoon.blogspot.com/2018/04/ryan-browne-howard-chaykin-two-rebels.html>

⁴⁷⁴ Rob Fahey. “Consumer Skepticism Drives Kickstarter Decline.” Gamesindustry.biz Pub. Aug. 4, 2017. <https://www.gamesindustry.biz/articles/2017-08-04-consumer-scepticism-drives-kickstarter-decline>

⁴⁷⁵ Julianne Pepitone. “Why 84% of Top Kickstarters Shipped Late.” CnnMoney.com pub. Dec 12, 2012. <https://money.cnn.com/2012/12/18/technology/innovation/kickstarter-ship-delay/index.html>

In 2015, Archie Comics Ran a Kickstarter with disastrous results. They sought \$350,000 to launch three series with big name creators set in the *New Riverdale* line of Archie Universe comics: *Jughead*, *Betty and Veronica*, and *Life with Kevin* (a proof of concept campaign). Less than a week into the campaign, they shut it down due to negative fan reaction, despite being well on their way to meeting the goal by the time it was pulled. “The conversation, at least in some circles, was no longer about funding these great new launches,” Archie CEO Goldwater told CBR. “Once that happened, we decided it was time to stop. While we don’t mind putting ourselves under the microscope or answering questions, the creators involved didn’t deserve that level of negative attention. Though we fully expected to get funded, we felt it was time to step back.”⁴⁷⁶ The main blowback that Archie received on this was from retailers. One retailer wrote a blog post explaining that he actually didn’t mind Archie Comics taking the direct approach to consumers; his concern was that there was no way to gauge interest for the second issue, which *would* have been sold through the traditional stores.⁴⁷⁷ Many of the questions around the Archie Kickstarter were about whether or not a successful company who does not “need” the money should even attempt to run a Kickstarter campaign.⁴⁷⁸

Two years later in 2017, another successful comic book company, IDW, ran a Kickstarter for : a large-format hardcover quarterly magazine with a cover price of \$25. This price is relative to what a person could expect to pay for a hardcover, but is quite pricey for a magazine. In

⁴⁷⁶ Albert Ching. “EXCLUSIVE: Archie Comics Cancels Kickstarter, Says Comics Delayed but Still Planned” pub. May 15, 2015. <https://www.cbr.com/exclusive-archie-comics-cancels-kickstarter-says-comics-delayed-but-still-planned/>

⁴⁷⁷ Brandon Schatz and Danica LeBlanc. “The Retailer’s View // Bridging A Gap With The Archie Kickstarter.” Comicsbeat.com. Pub. May 14, 2015 <http://www.comicsbeat.com/the-retailers-view-bridging-a-gap-with-the-archie-kickstarter/>

⁴⁷⁸ Janelle Asselen. “ARCHIE COMICS CANCELS KICKSTARTER CAMPAIGN AMID CRITICISMS” pub. May 15, 2015. <http://comicsalliance.com/archie-comics-cancels-kickstarter-campaign/>

describing the book, the publisher also used the word “journal.” Dirk Wood describes *Full Bleed* as a successor to *The Comics Journal*, a long-running critical magazine of the comics industry. However, he also described it as a successor to *Rolling Stone*, wanting to broaden the horizons of readers by including articles about comics.

With the Archie Kickstarter in mind, when speaking in an interview with John Siuntres about how an established publisher can run a Kickstarter, editor for IDW Dirk Wood said that, historically, two things have kept magazines alive: advertising and subscribers. He felt that ads in hardcover book would be “lame,” so, naturally the only other option was subscriptions. Additionally, he felt that he did not want people to misunderstand what the product was; this way, he could “get some steam behind it.” He also stated that interview that he was afraid of running the idea through the regular channels: “If we ran a half page ad in *Previews*, just full disclosure, we’d run 600 or 700 copies and the model would be unsustainable.”⁴⁷⁹

Retailers had a more tepid response to IDW’s Kickstarter than to the Archie Kickstarter. Siuntres claims in the interview about *Full Bleed Magazine* that retailers have stated they “don’t mind Kickstarter” because it shows “proof of concept” and that they “appreciated being let in at the vendor levels.”⁴⁸⁰ In my own discussions with retailers, they have at *best* seen Kickstarter as another vendor to compete with and at *worst* have been hostile about the mere existence of Kickstarter because selling directly to consumers shuts them out of the circuit.

Dirk Wood has stated that he wanted the IDW Kickstarter to be a driver toward direct market stores. Wood said that he wanted to run the Kickstarter with the idea that someone would

⁴⁷⁹ Siuntres, John. “IDW’s Dirk Wood Creates A New Magazine For Today’s Comics Culture.” (Audio Podcast) Pub. Oct. 2, 2017. <http://wordballoon.blogspot.com/2017/10/idws-dirk-wood-creates-new-magazine-for.html>. TI: 18:50- 21:05

⁴⁸⁰ Ibid. TI: 27:00

see the first issue on someone's shelf or at someone's house and ask them where to get it; they would also tell backers that once Kickstarter campaign was over, direct-market comic shops would be the only place to get issues. In that way, the Kickstarter could act as a feeder to the direct market for books and subsequent issues. He says that the Kickstarter was not about generating cash as much as about trying to create a buzz. The idea was to do a media blitz so that once the Kickstarter was over, future issues could only be found at comic stores. However he also said that, based on blizzard of e-mails he received, the campaign has been largely misunderstood.⁴⁸¹ There is a disconnect between what people who "donate" to Kickstarter can afford and what the market can sustain; these are often completely different. *Full Bleed Magazine* exists as a possible example.

Many people who run Kickstarter campaigns worry that they will not be successful. However, there is another edge to the sword: it's possible for a Kickstarter to be *too* successful. Take for example John Campbell, the creator of the webcomic *Pictures for Sad Children* and who published a hardcover book via Kickstarter in 2014. He asked for \$8,000 to publish the book and wound up exceeding that goal by 645%, raising over \$51,000. He published the book and fulfilled about 75% of the orders but left the rest unfulfilled. He then burned some of the stock for the outstanding orders on a video published on the Kickstarter site, with an attached threat to burn more. He stated that he was upset about the amount of abuse he received while trying to fulfill these delayed orders as the reason why he gave up. Not only that, but he also took down all the content from his website.⁴⁸²

⁴⁸¹ Ibid. TI: 21:05-23:00

⁴⁸² Steve Sunu. "'Pictures For Sad Children' Creator Burns Kickstarter-Funded Books" *Comic Book Resources – cbr.com*. Pub. Mar. 10, 2014. <https://www.cbr.com/pictures-for-sad-children-creator-burns-kickstarter-funded-books/>

Campbell stated “the IRS watches Kickstarter” and said that they took between \$3,000 and \$5,000 in taxes from the Kickstarter donations. The trigger-point for the book burning was the stress of not being able to fulfill the orders and from having wasted money on returned product because of undeliverable mail. Many were concerned about the mental health of Campbell, who accompanied the video (titled “Kickstarter fail”) of himself burning the books in an alley behind his home with a 4500-word rambling message to the backers.^{483 484}

Campbell’s case was not an isolated incident. When Mark Andrew Smith created a Kickstarter for his comic *Sullivan’s Sluggers*, a horror-themed comic about baseball, it surpassed its goal of \$6,000 and reached nearly \$92,000, which allowed the creator to expand the content available in each book but which also caused shipping rates to skyrocket. This actually caused the creator to go underwater on the original campaign, meaning that he needed to run a second campaign just to cover the shipping costs of the first. These problems with fulfillment also caused a falling-out between members of the creative team, leading collaborator James Stokoe to publicly distance himself from the project entirely.⁴⁸⁵

⁴⁸³ Alisa Hauser “Kickstarter Fail: Artist Raises \$51K to Publish Books, Burns Them in Alley” *dnainfo.com*. Pub. Mar. 5, 2014 <https://www.dnainfo.com/chicago/20140305/wicker-park/kickstarter-fail-artist-raises-51k-publish-books-burns-them-alley>

⁴⁸⁴ Side note: The site which published this article, DNAinfo, a website largely devoted to news of various larger city neighborhoods like New York and Chicagoland. The site shut down in November 2017, between this article’s publication and my accessing the article, due to the staff in the New York City office voting to unionize and the management deciding that it was more cost-effective to shut down. The owner Joe Rickets said of the shutdown, “DNAinfo is, at the end of the day, a business, and businesses need to be economically successful if they are to endure...” So it goes...

From Marek, Lynne. “DNAinfo Chicago shuts down” *Crain’s Chicago Business*. Pub. Nov. 2, 2017. Accessed. Jan 8, 2018. <http://www.chicagobusiness.com/article/20171102/NEWS06/171109949/dnainfo-chicago-shuts-down>

⁴⁸⁵ Kevin Melrose. “James Stokoe, Mark Andrew Smith clash over ‘Sullivan’s Sluggers’” *Comic Book Resources*. *Cbr.com*. Pub. Mar. 7, 2013. <https://www.cbr.com/james-stokoe-mark-andrew-smith-clash-over-sullivans-sluggers/>

For their part, Kickstarter has to respond to cases such as these by allowing creators the option to charge for shipping on a separate invoice line.

GoFundMe

If Kickstarter is a place where business is conducted, it seems that GoFundMe has become the place for more direct charity for people, including for comic book creators. As mentioned many times over the course of the project, creators of comic books do so on a freelance basis. As a result, many are not covered well—or at all, sometimes—by health insurance. There have been many cases of people using GoFundMe and social media announcements as a conduit to help these creators. While undergoing cancer treatment, Marvel colorist Justin Ponsor started a GoFundMe to help pay his medical bills. Creators with large followings put out the call to help and the campaign reached its 50,000 dollar goal in just two weeks.⁴⁸⁶ Nicole Virella’s family also set up a GoFundMe to fund her medical treatments for endometriosis.⁴⁸⁷ Although Virella was not a name that most fans would know, she had several promotions on Twitter from comic book creators with large followings such as Bill Sienkiewicz and Tom Taylor. Brian Keene, a writer, was badly burned in a fire and turned to GoFundMe for help.⁴⁸⁸

⁴⁸⁶ Taimur Dar. “GoFundMe Fundraiser to help Marvel colorist Justin Ponsor’s cancer treatment.” *ComicsBeat*. Pub. Feb. 26, 2018 <http://www.comicsbeat.com/gofundme-fundraiser-to-help-marvel-colorist-justin-ponsons-cancer-treatment/>

⁴⁸⁷ Johnston, Rich. “Family of Star Wars/Deadpool Artist Nicole ‘Nik’ Virella Raising Money for Operation.” *BleedingCool.com*. Pub. Mar. 19, 2018. <https://www.bleedingcool.com/2018/03/19/star-wars-deadpool-artist-nik-virella/>

⁴⁸⁸ Terror, Jude. “Brian Keene Badly Burned in Fire, Seeks Help with Medical Bills.” *BleedingCool.com* Posted Jun. 6, 2018 <https://www.bleedingcool.com/2018/06/06/brian-keene-badly-burned-fire-seeks-help-medical-bills/>

Patreon

If Kickstarter is for product and GoFundMe is for charity, Patreon is for direct investment in the artist. Recently, this long-term patron model has sprung up among the other funding options. The idea is that if you are a fan of an artist or the creative team, you could donate a monthly gift through Patreon to keep that artist or artistic endeavor solvent. In addition to individual artists, podcasts and YouTube channels use also this method of sustaining themselves. The Patreon model gives creators a certain amount of money, determined by the patron themselves, and the money is provided either per “unit” (per show [for something like podcasts] or per comic [for someone like artists], for example) or per month. With this model, the creator can choose to give out exclusive content or rewards to patrons of particular tiers. Ali Cantarella, to whom I spoke for this project, has a Patreon that was set up, in part, to fund her travel to various shows. She has a reward tier wherein a patron of that particular tier will receive a hand-drawn postcard print from the venue.

Kickstarter as well as the other options similar to it seem to function as a way out of “big industry” comics. However, there is a risk; the risk of too much work in too little time, the risk of non-fulfillment, and the risk of alienating one’s fans. It would seem that many of the Kickstarter projects have become a symbiosis with the comic book industry. Consider Haley Nitz, a 17-year-old comic creator; without something like Kickstarter, her work would likely never see the light of day. Eli Nitz, her father, spoke with me about the deal his daughter received from a comic book publisher after running the Kickstarter:

It looks like the Kickstarter started toward the end of January. March 1st it finished and allowed the comic to be made. It was then submitted to the printer in mid-March. By the end of March, we submitted to publishers. I can see the first e-mail response was March 29th; we got info from Red 5 Comics. They were interested in more info and looking at the book. We started a dialogue. Since that time we’ve had a back and forth; what would a contract look like? Under the parameters, what would compensation look like? What

would we have to supply to them? The framework of the deal is that they work similarity to [other publishers]; you bring them finished product, they bear the cost of production, printing, and distribution. Once costs are recouped, there is a 50/50 on profits. At that point, they have to have the first arc. The first arc is four issues; since the first issue was done and Haley is a creator, she owns the IP 100%, she still has to pay the cover artist, art team, letterers. The only way a 16, now 17-year-old could put together that kind of money is via Kickstarter. Red 5 Comics has agreed to help promote the Kickstarter. We are thrilled to have them not only as a publisher; with recognition in the Diamond catalog, they have a name. This is going to help make Haley a bona-fide comic writer.

As a result, the comic book publisher acts as a comic book publisher: they are the ones worried about print runs and making money off of the publication of the books. But Haley herself remains the owner of the IP contained within her book.

Creator Access

Much of what makes comic books unique for many people in the industry and for the fandom is the accessibility of the creators. On more than one occasion, I have been face-to-face for several minutes with (or even had dinners with) one of the “greats” in the industry. Often the creators are fans, too, and understand “how cool it is” to meet such people. One creator said in a podcast that if you tweet to a comic creator, it’s highly likely they will see it and may often respond themselves. The creator then pointed out, ‘how often does that happen in any other medium?’⁴⁸⁹

Of course, there is a darker side to many of these interactions. For many fans, this availability and interaction along with the disassociation the internet allows causes them to be negative toward creators and, sometimes, even threaten them. Recently, former Editor-in-Chief of Marvel Comics Joe Quesada, wrote an open letter, addressed to fans and the community. He stated that through most of the history of comic books, the only channel of fan interaction with

⁴⁸⁹ Siuntres, John. “Mark Waid Hates Bullies.” John Siuntres. *Word Balloon*. (Podcast Audio). Pub: July 3, 2018 <http://wordballoon.blogspot.com/2018/07/mark-waid-hates-bullies.html>

creators was on the letters page. However, in the age of social media, fans have greater access to creators than ever before. Suggesting that these creators shouldn't despair, he said, "...I also understand how sometimes the harshness of social media can make it all feel bleak, like there's no community out there, but I believe there is and always will be..."⁴⁹⁰

Comics creator Chuck Austin, I would argue, was the canary in the coal mine when it comes to how people are treated in the social media age. He was a creator on several comic books in the early 2000s. For his X-Men issues in particular, he received much derision from critics—but he also reportedly received death threats from “fans.” At his own admission, the quality of the work suffered when he accepted too much work and got in over his head. In a YouTube interview with a site called “Death to Fanboys,” he gave a short statement about that time saying, in part, “I don’t understand where this fan-ownership diktat came from.”

A few years later, the situation has only gotten worse. The threats against creator Tom King became so serious that he retained a body guard for San Diego Comic-Con 2018 in the wake of the reveal that Batman was not going to marry Catwoman in the comics, an event that had been built towards for months (the end was spoiled early by newspapers, such as the *New York Times*.)⁴⁹¹

Some have suggested that “spoiler culture” may be part of the problem fueling internet outrage. King said that there *is* a story that leads to the end, but also that there is a story after the climax that is intended to act as catharsis; spoiler culture shortcuts straight to the shock without the benefit of also experiencing the explanation or the resolution.

⁴⁹⁰ Joe Quesada's Facebook Page. Accessed: Jan, 29, 2018.
<http://www.facebook.com/joe.quesada/posts/10159961445200578>

⁴⁹¹ Tim Adams. “Thanks to Death Threats Over Batman #50, Tom King Has a Bodyguard at SDCC.” *Comic Book Resources – CBR.com*. Pub. Jul. 19, 2018. <https://www.cbr.com/tom-king-batman-50-death-threats-bodyguard-sdcc/>

Over the course of his conversation on the Word Balloon Podcast, Tom King and John Siuntres discussed fandom in the age of the internet as well as spoiler culture.⁴⁹² John recounted a time when someone took some camera phone footage from the *Avengers* movie and posted it online. The fandom went crazy because the costumes did not look right and the effects were not inserted. His reply was, “of course it doesn’t look right; you aren’t seeing the right angles, the CGI laid over top of it, or what surrounds this out-of-context bit.”⁴⁹³ He concluded that most fans just needed to relax: what would come would come. Tom King recounted another story about *Star Trek II: The Wrath of Khan* and how, even before the internet, it was leaked that Spock was going to die at the end of the movie.⁴⁹⁴ There was fan outcry across fanzines, etc. This ending to the film is still considered to be among the top moments in all of cinema.⁴⁹⁵ Had the production listened to the angry fans, we would not have the now famous, scene wherein Leonard Nimoy delivers the line, “The needs of the many outweigh the needs of the few.”⁴⁹⁶ The ending turned out fine despite the angry fandom. The point that the two men were trying to make was that angry fans should not affect production. Without seeing the whole picture or knowing the whole story, of course people are going to react poorly.

Dan Slott described a time when he received death threats after doing a controversial story in Spider-Man. Marvel received credible enough threats that one day, Slott was called up to the Marvel offices and entered to find nearly a dozen investigators from Marvel security, the

⁴⁹² Siuntres, John. “Tom King Q&A The Bat(Man) Is (Heart) Broken.” (Podcast Audio). TI: 1:42:00

⁴⁹³ Paraphrased.

⁴⁹⁴ By Gene Roddenberry himself, because of a falling out with production. As told by Tom King.

⁴⁹⁵ AMC TV “Greatest Tearjerkers - Scenes And Moments”. *AMC-Filmsite.Org*. Accessed January 24 2019. <https://www.filmsite.org/tearjerkers27.html>.

⁴⁹⁶ *Star Trek II: The Wrath of Khan*. Dir Nicholas Meyer. Hollywood: Paramount 1982.

NYPD, various cybercrimes units, the FBI, etc., working the case wherein they had a “thick” file of the threats. It affected several signings he did, in that there were usually several undercover police in attendance. At one signing, the location was insecure enough that only five people could come into the shop at a time. However, because there was a blizzard that day, the people he met were all very cold, and had waited in line for hours to get his signature.⁴⁹⁷

Dan Slott said that he felt he just wasn’t built for social media, and he has since left most of it behind and reports that he is happier for it. He described an occasion when a comic book web site poked him a bit. He replied with a prickly quote; they published that quote, effectively poking him back; he replied again, and they got another article out of it. He then realized that this website was engaging in lazy journalism; they were getting paid for the clicks on the site and he was doing all their work for them.⁴⁹⁸

Mark Waid also said that he made a decision to leave social media behind; not just because of harassment, but also because he *could*. However, he made it a point to state that younger professionals do not have the same luxury because social media is how they promote themselves. He specifically noted that the alt-right’s continued harassment of women and people of color through social media suppresses the voices of minority creators.⁴⁹⁹

Those very elements Waid described often threaten these minority creators directly as happened with Eric M. Esquiél, who writes a comic titled *Border Town*. The book is a horror

⁴⁹⁷ Siuntres, John. “Word Balloon: Dan Slott - Spider-Man Exit Interview.” (podcast audio) Ti:153:00

⁴⁹⁸ Siuntres, John. “*Word Balloon: Dan Slott Spider-Man Exit Interview.*” (Podcast Audio) Ti:160:00

⁴⁹⁹ Siuntres, John. “Mark Waid Hates Bullies.” (Podcast Audio). TI: 1:15:00

book about supernatural monsters killing people and “God-dang illegals” being blamed for the killings.⁵⁰⁰

Echoing this sentiment in my own interviews was B. Clay Moore, here describing his social media interactions:

Over the past year, I’ve tried to dial my interaction back. Especially on engaging with anyone in any way that could be considered confrontational or negative. I’ve tried to back away from politics a bit. I’m a political person. I realize there are a lot of people who I say “no more political discussion” and they say, “No, I want to hear you talk about this stuff” and I just realize it’s not helping me market myself or build my brand as a creator. So it’s like, people know where my politics lay. I don’t need to alienate people who disagree with me. None of my work is overtly political. It was when I got caught up in this crowd who is anti-diversity... that’s the wrong term, it’s these people who are anti-forced diversity and anti-‘social justice warriors.’ When I started finding myself lumped in with the people they cannot stand. Only because of my personal politics and relationships with other people. I don’t need that. I’m not writing left-wing crusader books that attack people. That is a mischaracterization of who I am. So I made an effort to back away. I’m not running from what I think about things. But I figure, why antagonize? A whole lot of people on any side would really like to stop discussing politics, no matter their or your politics. Subjecting others to your opinion, especially in the era of Trump, I mean what is left to say? What am I going to add to the conversation? If anyone wants to figure it out they can trace my likes.

After my interview, it appeared that Moore’s troubles weren’t yet over: an angry fan group he had mentioned as being ‘upset’ soon posted a video to YouTube that ranted for 45 minutes about Moore.

Much of this outright destruction of creators at the hands of fans can be traced to what has become known as “toxic fan culture.”

Toxic Fan Culture

“Toxic fan culture” has become a catch-all term to refer to fan overreactions; to an imbalance or a perceived imbalance between fan expectations and corporate realities regarding

⁵⁰⁰ Matt Morrison. “Latino Comic Writer Receives Racist Death Threats Ahead of SDCC 2018.” Screenrant.com Jul 18, 2018. <https://screenrant.com/eric-esquivel-death-threats-border-town-sdcc/>

choices made with an intellectual property.⁵⁰¹ For example, fans may sometimes overreact to the changing of a creator on a property, disagree with the gender makeup of a writers room, or disagree with a narrative choice. Most of the time fan disagreements are healthy, and they are often resolved peacefully. However, in the comic book fandom as well as in other media fandoms, there has been a surge in “toxic fandom” wherein the fans decide that “if I cannot have my thing exactly the way I want to have it, then no one can.” The end result of toxic fandom often looks like severe internet trolling or directly attacking a creator.

Case study: Rick and Morty

Take the cartoon *Rick and Morty* as an example of a toxic fandom.⁵⁰² In 2017, *Rick and Morty* fans had an interesting event happen at several McDonalds; the result of fan mobilization working to change the policy of a multinational company, which ended up bringing out the worst in people. In season 3, episode 1⁵⁰³ of the show, there was a storyline involving traveling to an alternate reality because one of the characters preferred a flavor of McDonalds chicken nugget sauce that in our reality was only available for a limited time in conjunction with the film *Mulan* in 1996. All the while, the characters justify all manner of atrocities for the purposes of, “gotta get that sauce.”

This storyline in the cartoon brought attention to McDonalds. Fans petitioned for a return of the sauce. Fans clamored for the sauce and trended “gotta get that sauce.” McDonalds relented and released the sauce in limited quantities as sampling to promote their own new line of chicken

⁵⁰¹ Joe. Glass, “The World of Comics Has a Serious problem: Tolls” *Bleeding Cool*. Pub. Aug 6 2017. <https://www.bleedingcool.com/2017/08/06/comics-serious-problem-trolls/>

⁵⁰² Cameron Williams “The Rise of Toxic Fandom: Why People are Ruining The Popular Culture they Love” *Junkee.com*. Pub. Oct. 10, 2017 <http://junkee.com/rick-and-morty-toxic-fandom/130622>

⁵⁰³ *Rick and Morty* “The Rickshank Rickdemption.” Season 3 Episode 1 dir. Juan Jose Meza-Leon and Wes Archer. Hollywood: Harmonius Claptrap. Apr. 1, 2017.

fingers. Although *Rick and Morty* was not explicitly named in the promotion, there was limited edition art on the packs and small posters given out with the sauce that mirrored the art style of the show.

McDonalds either wanted this to be a premium limited edition or was not ready for the popularity of the promotion. They only released a few sauce packets and art prints to stores. The McDonalds website listed the actual availability of these items, with many stores not participating.

I had Saturday off work that day, and as a favor for a friend I was enlisted to go stand in line for him until he could get off work to get the sauce. The store I was at was listed as a “participating store”, but received none of the sauce because of the limited quantity. Once the promotion was announced, there was no sauce available at the McDonalds I was at—or, in fact, in much of Kansas. There was a lot of disappointment and much screaming about the sauce. “Gotta get that sauce!” Later, I had heard that some McDonald’s locations had been forced to deal with rioting; all over some sauce.⁵⁰⁴ At the store I was at, there was no rioting. I’d almost liken what I saw to temper tantrums. At my store, the worst thing I saw was that, in protest, two men in their late teens or early twenties stationed themselves at the front door and screamed at people coming into the restaurant while doing impressions of *Rick and Morty* characters for about 20 minutes before they got bored and left.

Comic culture news website Comic Book Resources, listed this as the #1 “Fan Freakouts” of 2017. The article stated that at other McDonald’s locations, people reported the threatening of

⁵⁰⁴ *Inside Edition* "What Triggered The McDonald’s Szechuan Sauce Craze". *Inside Edition/YouTube*. Pub: Oct 10, 2017. <https://www.youtube.com/watch?v=Q6dJG1uOmN4>.

employees or property.⁵⁰⁵ Also notable is that the #5 freakout was when some *Rick and Morty* fans earlier in the year suggested that the show they loved was not as good in its newest season because there were women on the writing team. Many of these toxic fan situations have an element of racism or sexism to them.

It was not just *Rick and Morty* fans that made the list; other notable fan freakouts that made the list were: #10, a protest against female-only showings of Wonder Woman [gender], #14 Dr. Who fans who protested the new Doctor being female [gender], #15 J.K. Rowling taking a stance against real-life fascism mirroring the fascism denigrated in her books, and #6: the film makers of *Spider-Man: Homecoming* implying that Mary Jane, normally a Caucasian, would be a different race in the film [Race],

Rick and Morty is not specifically a comic book property; it is primarily a cartoon that has a comic book among its arsenal of other derivative works. The *Rick and Morty* fans already had an existing reputation as being “toxic fans” prior to the McDonalds incidents. Some have argued that the petulant and cynical nature of the cartoon itself encourages its fans to act in this way.

One of my interviews was with Kyle Starks, who writes the *Rick and Morty* comic. I asked him about the fans specifically, because *Rick and Morty* fans have a reputation for being particularly disruptive and other times (up to and including causing riots, etc.) His reply was interesting:

There are what people on the internet think is a *Rick and Morty* fan. I’ve never encountered it once. I’ve never seen any of that in real life. I once did another licensed book [where] I had ideas about the fans; I’ve never had a bad fan experience at a show. I’ve never heard anyone say anything bad to anyone at a table. This is just dudes who are real stoked about a thing. Those dudes on the internet, I don’t know what that is. I think

⁵⁰⁵ Michael Natale. “Fan-Dumb: The 15 Worst Fan Freakouts Of 2017” *Comic Book Resources – CBR.com*. pub. Jan 8, 2018. <https://www.cbr.com/worst-fan-freakouts-of-2017/>

it's real easy to act a certain way with anonymity. When you are in front of my table, that's gone. So I've had really great experiences.

Starks went on to say that as the writer for the comic book, he does not receive the same amount of attention as other creators on the property who are more directly associated with the TV show. Interestingly Tini Howard who also writes for the *Rick and Morty* comic and who happens to be a woman, echoed the same sentiment in a podcast interview for Word Balloon: she said that she has also never had a negative *Rick and Morty* fan experience.⁵⁰⁶

Fan culture is a double-edged sword. It can be liberating or limiting, like in the cases involving Kickstarter. The culture can also be encouraging and reinforcing when fans mobilize in support. However, the culture can also be a huge hinderance when the fans mobilize against choices made by creatives. For the precious creative often their personal brand is wrapped up in the followings which they have, as a result, the fan groups gain empowerment – even if it simply a madness of crowds.

⁵⁰⁶ John Siuntres. “Tini Howard On Writing Rick And Morty Comics Assassinistas and Hack Slash “.John Siuntres. *Word Balloon*. (Podcast Audio). Pub: June 15, 2018. <http://wordballoon.blogspot.com/2018/06/tini-howard-on-writing-rick-and-morty.html>. Ti: 44:00

Chapter 7: ‘A Crisis on Infinite Earths?’... It’s Probably More of a ‘Secret War.’

Conclusion – The Future of the Industry.

Take a moment to consider the phrase “I’m a comic book fan.” Somewhere along the way, referring to yourself as a “comic book fan” stopped meaning one singular thing.⁵⁰⁷ I speculate that it might have started in the 1970s with the proliferation of underground comix (with an x). This bifurcation of the fandom became more pronounced in 1980s with the distinction between a newsstand reader, a direct market consumer, and those who purchased mass-bookstore graphic novels.

Today, identifying as a “comic book fan” can mean a variety of things; people who enjoy actual periodicals (physical or digital), graphic novel consumers, even those who have seen neither are instead fans of the popular media surrounding those intellectual properties, such as the television, cartoon or film forms of these properties. Multiple transmedia versions of the characters contained within the boundaries of the “comic book industry” have caused a fracturing of the audience that consumes them.

Over the last several years comic book companies have made efforts to move their media, and to a lesser extent their customer base, over to digital comic books. It does offer advantages for cost and distribution, but customers have been semi-reluctant to adapt to the technology. As a result, rather than being a replacement revenue stream, digital comic books have become an additional channel through which to distribute.

⁵⁰⁷ If it ever did... It was certainly meaningful to those outside the subculture

Digital distribution

In the early 2000s, an upstart comic company named CrossGen out of Tampa, Florida saw what was wrong with the comic industry and attempted to focus their business model specifically on fixing many of those things. Among the problems CrossGen attempted to fix were: work-for-hire agreements, inconsistent product line quality, and the consistent lateness of books. CrossGen rectified many of these problems by creating a unified studio space for their creators and by making comic creation a “9-to-5 job” with benefits. This was directly contrary to how the industry worked at the time (and, in fact, how it *still* works), wherein artists and writers work from home or wherever and companies pay them on a contingency “work-for-hire” basis. These “work-for-hire” contracts offer little in the way of stability, but they do at least offer a paycheck. A lucky few comic book creators receive exclusivity contracts. These contracts benefit the publisher largely because the creator is not allowed to work for any other companies or do any of their own creator-owned work during the period of exclusivity, the creator also benefits from better contract terms; higher page rates, better royalties, and (sometimes) health benefits.

Some employees saw the CrossGen system as a possibility for stability and opportunity in a field that offers few opportunities for either. After the eventual end of CrossGen, some creators saw the CrossGen system as oppressive and were unhappy working there. Writer Mark Waid, a former employee, describes the working conditions as well as CrossGen’s owner Mark Alessi, who “could make a fortune charging his employees for Post-Traumatic Stress Syndrome therapy. He would, and I’m not joking, make (admittedly spineless) grown men stand in the corner when they displeased him... [or he would be] berating them at the top of his lungs and

then sending them home for the day, ‘and don't come back until you can draw it right.’”⁵⁰⁸

Throughout the existence of CrossGen, the company was a magnet for these types of labor disputes.

Besides innovating the way their studio system worked, CrossGen also experimented at that time with what we would now call “transmedia.” They worked on telling the stories of their characters across many media platforms. CrossGen created and divided their company into several LLCs, each one in charge of a different facet of the company’s media image. The LLCs included one for the studio, one for the website, etc. During that time, CrossGen experimented with Comics on the Web (COW). Their Comics on the Web interface was the first of its kind that brought a “comic book experience” to the internet. The colors were vivid, the text jumped out (literally; the text popped out when you moused over it), and the interface allowed the comic to be read to the reader in different voices. The main problem with this model was that it was way ahead of its time: broadband was not yet in wide circulation. The technology simply was not there. Waiting to download a page, let alone a whole comic, seemed to take an eternity on the then-primitive technologies.

Due to this complication, it was perhaps a foregone conclusion when CrossGen Comics went out of business almost four years after it started. Many contend that the reason behind its failure was that CrossGen simply grew too large too quickly, overstretching themselves as a result. They expanded into too many titles with mediocre sales, and they expanded into too many media venues too quickly. CrossGen put their comics properties into not only comic books and web comics, but also branched out into comics on DVD (which included partial animation),

⁵⁰⁸ Laura Hudson. “Mark Waid Slams Dan DiDio and DC Comics” *Comics Alliance*. Published 4/28/2009. <http://www.comicsalliance.com/2009/04/28/mark-waid-slams-dan-didio-and-dc-comics/>

educational materials, novelizations, coffee table books, toys, statues, etc. An additional factor that led toward their downfall was likely their multi-genre shared universe concept, which was criticized as being impermeable to new readers. Just before CrossGen closed, sales of their books had started to rise slightly. It seemed as if the “build it and they will come” mentality was working; it just wasn’t working fast enough. Disney later bought up CrossGen’s properties; a few years later, Disney also purchased Marvel Comics. Recently, Marvel dusted off these characters and concepts in an attempt to “reboot” some of the CrossGen material with an eye toward the Disney crowd.

At the same time that CrossGen was experimenting with digital, the only other company dabbling in digital comics was Marvel. They half-heartedly attempted several different approaches in many different formats, including DVDs as well as subscription-based services, but they never caught on in a concrete way; Marvel always stuck to physical printing as their primary source of comics dissemination. Sometimes Marvel would choose to release books for free, sometimes they would release books as part of subscription service, and sometimes they would release books piecemeal. These never took with audiences because, for the most part, these releases were old archive material rather than what the fans cared about: the new stuff. *This* week’s books. The primary difference between Marvel’s innovations and CrossGen’s innovations was that CrossGen kept all of their services in-house while Marvel outsourced much of the work to other companies.

Even with CrossGen’s attempts in 2002 and Marvel’s subsequent dabbling in the last few years, it was not until 2010 that a major media company (DC Comics, a subsidiary of Time-Warner) took up the challenge to move comic books from paper to digital in a real way. DC Comics decided to collaborate with ComiXology to deliver its whole mainline of superhero

comic books on the web; perhaps the more important aspect is that this included delivery directly to mobile devices through app technology. With the creation of ComiXology in 2007, a unified platform for release of comic books on the web finally came to fruition. Currently, each of the major comic book publishers uses some version of the ComiXology platform to deliver their content online.

In the same way that iTunes *theoretically* levels the playing field for music, charging the same price and making the platform uniform for artists no matter their popularity, ComiXology effectively does the same for comics. The content is unified across all publishers. The ComiXology interface works the same no matter whose comic book you're reading. The default mode for this interface is the single page view, where it will show the viewer a full page of the book. If the page is half of a "splash page" (an image spread across two comic pages), then it will show you the whole splash page simultaneously. As most people do not have a large enough monitor to easily read the text and enjoy the art, there is a zoom function that allows the viewer to scroll through the entire page close-up. Additionally, there are toggles that allow the reader to skip to whichever page they wish. Thirdly, there is an interface that allows a viewer to do a "walkthrough" mode wherein the comic will move through panel-by-panel, walking the reader is through the "intended" reading order.

ComiXology works on "the iTunes model, "a pay-per-track model wherein customers can buy a single track on an album for about 99 cents. In the case of ComiXology, users purchase on a single-issue basis; generally, they pay the same price as the cover price. ComiXology does much the same with single-issue comic books. At the moment, the site sells most single-issue comics for the same cover price as their print counterparts, then gradually lowers the price. Through a complicated process, traditional brick-and-mortar stores are not

being left out; a customer can purchase a gift card-like code at a comic book store in an effort to allow retailers some cut of the profits; retailers can also use their own websites as shopping baskets for ComiXology, allowing retailers get a cut of any eventual purchases. Although the delivery method cuts out several middlemen and saves on shipping, publishers have been charging the same price for digital content as they charge for physical content. These efforts are attempts on the part of publishers as well as ComiXology to assuage fears that the platform exists as an effort to put brick-and-mortar stores out of business.

In an interview for *icv2.com*, ComiXology CEO David Steinberger mentioned some of the advantages digital has over brick and mortar. He stated:

You have to remember we build and cultivate readers only. We don't build and cultivate collectors. The self-selection does actually help and can continue. Those people can self-select continuously where we don't have any variant covers. We don't have any foil-embossed limited editions. If you're not telling a great story, and you're not connecting with readers, you're not going to make it with us. You can stimulate that.⁵⁰⁹

Steinberger goes on to explain that shops in the direct market are really catering to both readers *and* collectors. He continued on to say that there are many great shops, but they simply cannot carry everything in the way that digital storefronts can. He also states that content is what sells within his market segment. There are no short-term Collector's Editions. What's nice about being in the digital marketplace is the significantly lower risk; "It's no risk to us. If it doesn't sell, we're not delivering you a comic. We're not spending a whole lot of money. We spend some money upfront to do guided view and that type of thing but no sweat for us to carry it."⁵¹⁰

⁵⁰⁹ Milton Griepp. "Interview With ComiXology CEO David Steinberger, Part 2". Pub Aug 14, 2017. *Icv2.Com*. <https://icv2.com/articles/news/view/38207/interview-comixology-ceo-david-steinberger-part-2>.

⁵¹⁰ Ibid-

None of this is intended to begrudge the collectors market; physical retailer can and attempt to cater to both collectors as well as more casual readers. The point Steinberger made was that he does not feel that his company should be in the business of manufactured collectibles. My own first exposure with ComiXology was with the *Justice League* #1 (released on August 31, 2011) comic that came out as a part of DC Comics' major reboot in anticipation of the move to "day-and-date digital," which is to say: release the comic same day on both platforms, print and digital simultaneously. "Day and date digital" is the clause that most retailers take issue with, because it gives retailers no lead time on sales of these books. Just a few months later Marvel, in an effort to not be left behind, also made a day-and-date deal with ComiXology.⁵¹¹

Once all of these structures were in place, Amazon.com purchased ComiXology. In 2015, Marvel began offering an alternative to ComiXology called Marvel Comics Unlimited. The service runs on the "Netflix model": the user can consume as much of the content as they desire for a base monthly fee, but that user never actually gains ownership over any of said content. The primary limits are that the digital content is six months behind its print counterparts, and back issues are limited to what the company has scanned in and has made available on their servers at any given time. Not wanting to be left behind, DC/Warner decided to offer a similar service set to open in late 2018 called "DC Universe." DC Universe is intended to be an all-in-one location for unlimited reading of DC comics, but is also meant to offer unlimited viewings of DC Comics-related TV, cartoons, and films. This gives it the obvious leg up on its Marvel

⁵¹¹ Effectively, this buyout created the same monopoly in digital comics that Diamond Comics has for physical comics.

counterpart, which only offers comics. The DC service is also offering several direct-to-service pieces of content such as an exclusive Titans TV show.

Endless Infinity – where to go from here?

Digital is *an* answer for *an* industry, but perhaps it isn't *the* answer for *the* industry. The industry has options. In his book *Comic-Con and the Business of Pop Culture*,⁵¹² Rob Salkowitz creates a matrix with a crosshair axis: the horizontal axis asks about the relevance of comics to popular culture, and the vertical axis asks about what causes industry innovations. On the left of the matrix he places “low, declining,” and on the right “high, increasing.” On the top he places “centralized/corporate,” and on the bottom he places “bottom-up/entrepreneurial.” Then he gives each of the quadrants names. He names the “Centralized/cooperate” and “low, declining” quadrant “Infinite Crisis.” The “centralized/cooperate” and “high, increasing” quadrant is named “Endless Summer.” The “Bottom-up/entrepreneurial” and “High, increasing” quadrant is “The Expanding Multiverse,” and the “Bottom-up/ entrepreneurial” and “low, declining” quadrant is “Ghost World.” Salkowitz sees each of these quadrants as a possible future direction for the comic book industry.

In “Infinite Crisis,” the readership of comics decreases even as options or onramps for readership increase, such as increased digital availability and “print-on-demand.” The readership becomes increasingly aged, and creators are often fans-turned-pro who recycle the same ideas in an effort to maintain market share, stimulate nostalgia, and pay the bills.

⁵¹² Rob Salkowitz. *Comic-Con and the Business of Pop Culture*. 240 – 250.

In “Endless Summer,” the readership increases based on capital investment and people use these onramps for interaction with the culture. Readership is constantly refreshed, as are new ideas. Creators are highly paid “superstars.” The medium is rights-protected and functions as the source of high-value transmedia.

In “The Expanding Multiverse,” The readership is young people interacting with digital content more and more. The readership is brought in from a variety of other places such as TV and young adult fiction books. Creators are people with fun and cool story ideas. The medium is looked at as a place to tell stories and encourage creativity rather than as a place to stifle it.

In “Ghost World,” the readership are “exclusive connoisseurs” of the product. The consumable itself becomes more and more exclusive and more expensive to obtain, driving away potential consumers with difficult on-ramping. Creators are serious artists with serious focus. The medium is rife with avant-garde ambitious projects that, to most readers, are too obtuse to bother with.

Obviously the larger constituents within the industry want Endless Summer, wherein money is to be made on every investment. People who follow the industry point out that Infinite Crisis has been an aspect of the industry since the late 90s. Salkowitz himself seems to indicate that these trends are somewhat cyclical. Indeed, when traveling the quadrants, the chart looks like a business cycle: establishment/reestablishment, innovation, a return to the classics, and eventually a recession.

However, while this does indeed look like a cycle, I had a difficult time placing any particular quadrant within any particular time in history, save for a few. I realized that because the comic book industry is so divergent, which is to say that it is many industries under a single umbrella, then each of these quadrants is happening simultaneously, thus creating a massive

market disruption. It also occurred to me that comic books as an industry were going into all of these directions all at once. Digital sales act as the “Expanding Multiverse” sales that can happen any time anywhere. The monthly floppy acts as “Infinite Crisis” with its Wednesday warriors set to purchase with pull-and-holds. The graphic novel that reaches a more exclusive audience acts as the “Ghost World,” and the transmedia audience experience is the “Endless Summer.”

As noted earlier in the dissertation, the American comic book market for the last 50-some years has existed largely as a subculture. Many individual comic “tribes” exist as sub-subcultures split off within the larger subculture, one important innovation is the digital crowd. The people who purchase digital comics at the same price as print. This revenue has become a windfall for some companies as they save the cost of printing while offering the product at the same price.

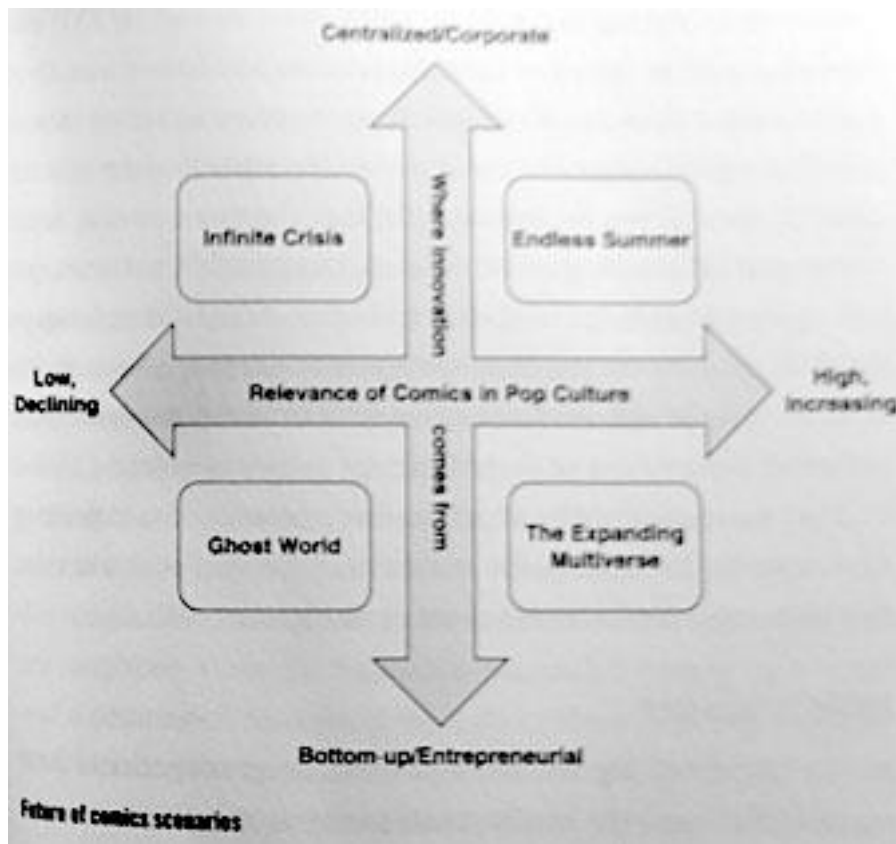


Figure 0-1 Salkowitz Crosshairs

In the discussion of his “crosshair quadrants,” Salkowitz implies that the comic book industry must pick a direction and make innovations to survive. But perhaps it doesn’t. Maybe the industry continues its current course and these disparate things develop a symbiosis. The Wednesday warriors may act as a chunk of the built-in audience for eventual TV shows or movies, no matter how unhappy they are with the end result. The audience for TV shows and movies may also target the more curious among them, feeding the digital comics crowd that is always online. The digital crowd could feed into brick-and-mortar graphic novels sales by virtue of having their more obscure tastes catered to. The graphic novel could provide an avenue for these readers to support their favorite graphic novel creators when they write or draw something for the Wednesday Warrior crowd...and the cycle begins anew.

During the time I was doing my study, comic books seemed to go through a rapid boom and a just-as-rapid bust. In 2014, BusinessInsider suggested a boom-time in comics was beginning.⁵¹³ The article stated that the industry was doing better due to expanded readership and higher prices, among other things. The article also stated that the rising tide of money in comics also helped periphery industries such as conventions. By 2016, the boom for comic book shops was in full effect. Industry blogs reported that there may have been up to 100 new comics stores opening due in large part to the influx of interest in comic books due to films based on them.⁵¹⁴

⁵¹³ Gus Lubin. “The Comic Book Industry Is On Fire, And It’s About More Than Just The Movies.” *BusinessInsider* pub: Aug. 26, 2014. <http://www.businessinsider.com/the-comic-book-industry-is-on-fire-2014-8>

⁵¹⁴ Beth Elderkin. “We Haven’t Seen This Many Comic Books in Stores Since 1996.” *I09.gizmodo.com* . Pub. Sep 18, 2018. . <https://io9.gizmodo.com/we-havent-seen-this-many-comic-books-in-stores-since-19-1786771479>

and
Milton Grieep. “NUMBER OF COMIC STORES UP IN 2016.” *Icv2.com*. Pub: July 28, 2016. <https://icv2.com/articles/markets/view/35123/number-comic-stores-up-2016>

Unfortunately, by December 2016 Comicsbeat ran an article describing the various problems with keeping the direct market (comic shops) open. These problems included DC's prices being too low, customers disappearing, customers switching formats (single-issue to trade paperback), customers not liking Marvel's output, rising costs, and a Diamond Comics credit crackdown.⁵¹⁵

2016 and early 2017 was a period of time that could be referred to as A Tale of Two Marvels. Marvel films were doing phenomenally and breaking all sorts of records; Marvel TV was breaking records as well via its hit shows on Netflix. On the other hand, the comic books themselves were selling at one of their lowest points in recent years. This perfectly illustrates the disconnect between the comic book intellectual property and the comic book form. Many of the problems for the industry stemmed from problems with its largest manufacturer, Marvel/Disney, and their seeming inability to capitalize on transmedia experiences.

About a year later, BleedingCool ran a blog about 50 stores having closed since January 2017.⁵¹⁶ The article noted that these were the stores that made a fuss about closing, meaning that there were many stores that shuttered without any fanfare. The author also noted that some stores opened during that same time period but the trend seemed to be fewer stores opening and more stores closing. Diamond Comic Distributors does not publicize how many accounts they have, nor do they specify the size of the direct market; however, it's estimated that there are around

⁵¹⁵ Todd Allen. "Why Are The Comics Retailers Worried About Mass Store Closings?" *Comicsbeat.com* pub. Dec. 15, 2016. <http://www.comicsbeat.com/why-are-the-comics-retailers-worried-about-mass-store-closings/>

⁵¹⁶ Rich Johnston. "Fifty Comic Stores That Have Closed Since January 2017." *Bleedingcool.com*. Pub: Jan. 19, 2018. <https://www.bleedingcool.com/2018/01/19/fifty-comic-stores-closed-since-january-2017/>

3,000 stores comics stores.⁵¹⁷ Additionally, by November 2017, the largest comic book convention circuit—Wizard World—appeared to be closing down.⁵¹⁸

Unions and Guilds

Perhaps the way out for some of the labor problems within the industry is the formation of unions or guilds. Greg Smallwood said, “I think that a guild or union is only useful until it isn’t anymore.” He voiced concerns about how a union could actually work against the people it was meant to help. Many people with whom I spoke specifically went into freelance for the freedom of it. Greg and many others I interviewed said that they would rather negotiate rates on their own behalf than have a union or a guild negotiate for them. They enjoy being their own bosses. Baked into the artistic ideology, no matter the political leanings of the various creators, is a fierce streak of independence. Yes, they all wished that conditions were better and that they got paid more, but even so, most of the people I spoke to had little desire to unionize. Smallwood, for instance, stated that he was less concerned about the financial end of things much more concerned about the freedom to create.

John A. Lent says of the worldwide struggles of the cartoonist that, historically, in many parts of the world the cartoonist is subject to long hours, unrealistic expectations, and still often needs to hold down multiple jobs in order to make ends meet. The American comic book industry is not alone its struggles. Lent suggested that this was fertile ground for the unionization

⁵¹⁷ Milton Griepp “NUMBER OF COMIC STORES UP IN 2016.”

⁵¹⁸ Jude Terror “Wizard World Q3 Financial Report Raises “Substantial Doubt” About Ability To Continue.” *Bleedingcool.com* Pub: Nov 15, 2017.
<https://www.bleedingcool.com/2017/11/15/wizard-world-q3-financial-report/>

for animators. As Lent tells it, the union/labor divide was never comfortable. Furthermore, unionization has accelerated the outsourcing and globalization of many animation tasks.⁵¹⁹

Topics for future study/Globalization and Invisible workforces

In an informal discussion with one of the artists I interviewed, he expressed some concern about global outsourcing. He said that he was unsure how long he could stay in the industry if they kept outsourcing jobs overseas. He felt that the only thing keeping him employed was that they could not copy him “yet.” This problem is probably not in his imagination; Marvel has a direct pipeline to comics freelancers in Indonesia.⁵²⁰

No one was willing to discuss this comparison it on the record and I made it a point never to push the question, but in some ways, comic books work like films. There are “above the line” credits and “below the line” credits. The “above the line” people are those such as writer, the penciler, the colorists and the editors, those people who get into the credits page. However, there is an invisible class of workers that exists in the comic book industry as well. There is a position called a “flatter,” for instance. This is a person, sometimes an intern, sometimes someone outsourced overseas, who gets the art before the colorist. Their job is filling the solid spaces in with color before the colorist does the more subtle color work. It is understandable that perhaps, when you get down to work like this, it’s difficult to calculate profit sharing. However, this worker’s complete absence from the issue’s credits would seem to reinforce many of the

⁵¹⁹ Lent, John A. *The Unfunny Tale of Labor and Cartooning*.. pp.180-190.

⁵²⁰ Rich Johnston. “How Will The Ardian Syaf Controversy Affect Other Indonesian Freelancers At Marvel Comics” *BleedingCool.com* Published: Apr. 10, 2017. <https://www.bleedingcool.com/2017/04/10/will-ardian-syaf-controversy-affect-indonesian-freelancers-marvel-comics/>

problems in a work-for-hire system. I have never even heard of this person before this project. There is certainly no one outspokenly clamoring for a better life for these people.

Whither the Industry?

For as long as I've been involved with comic books (since the 1990s) someone was predicting the end of the industry. It turns out, historically, they predicted end of the industry with the institution of the Comics Code (in the 1950s). Going back even further, in the book *Children of the Yellow Kid*, Brian Walker writes that people have been attempting to predict the death of comics since 1908. The article from the Boston Herald he cites makes claims that comics have become 'bland, tawdry, unfunny, and gaudy' and that they had no lasting power.⁵²¹ In 2010-2012, comic creators Fred VanLente and Ryan Dunlavey took a page from Scott McCloud's playbook and created an illustrated history of comics aptly titled *The Comic Book History of Comic Books*, saying "as long as writers and artists want to tell stories through pictures, the medium will never die."⁵²² Media theorists such as Henry Jenkins write about how not all hope is lost; they state that parallel media can coexist in "Convergence Culture" "...History teaches us that old media never die—and they don't even necessarily fade away. What dies are simply the tools we use to access media content – the 8-track, the Beta[max] tape. What scholars call delivery technologies."⁵²³ His contention is that no media ever dies; just the technology used to deliver it. Jenkins continues, "Delivery technologies become obsolete and get replaced; media, on the other hand, evolve. Recorded sound is the medium. CDs, MP3 files, and 8-track cassettes are delivery technologies."⁵²⁴ It is up to fans to decide whether they care more

⁵²¹ Brian Walker. "The State of the Art." In *Children of the Yellow Kid*. Ed. Robert C. Harvey. Seattle: Frye Art Museum and Washington UP. 1998. 10.

⁵²² Van Lente, Fred (w), and Ryan Dunlavey (i). *The Comic Book History of Comics*. 214

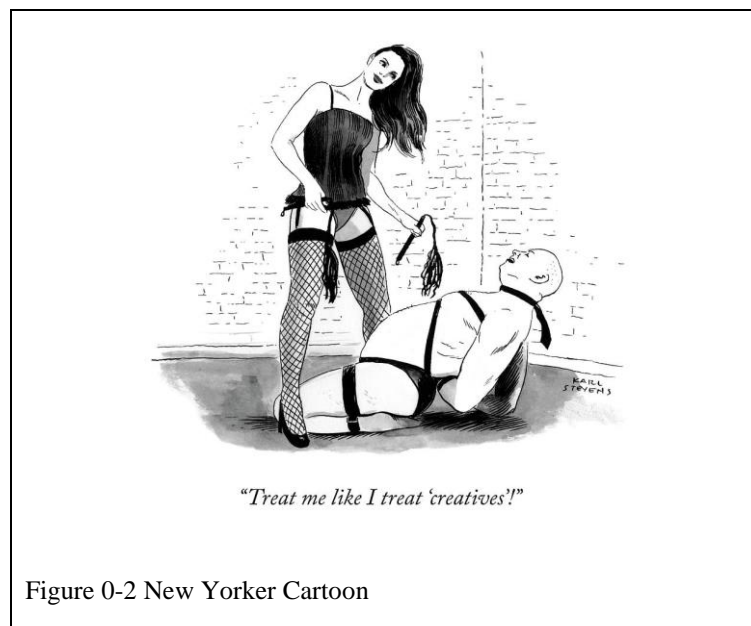
⁵²³ Jenkins. *Convergence Culture* 13

⁵²⁴ *ibid*

about their “funny bits of colored paper,” or about the stories that are *told* on those bits of paper. The answer will determine the future of the industry.

Importance and Correspondence

While I spilled a little bit of ink while studying the comic book industry, these people are not alone in experiencing how work-for-hire creates a gig economy for creative people. The frustrations felt by the comic industry are felt by creatives in many industries. Consider a *New Yorker* cartoon from January 21, 2018, depicting a dominatrix standing over a bound man with the caption, “Treat me like I treat ‘creatives’!”⁵²⁵



There is a correlation between people who work in the comic book industry and people who work in other similar industries. We can look at the comic book industry is a “mature gig economy.” It can be studied against many other industries that are only now facing the gig economy for the first time.

⁵²⁵ Stephens, Karl. Cartoon. *New Yorker*. Pub: Jan. 21, 2019.
<https://www.newyorker.com/cartoons/issue-cartoons/cartoons-from-the-january-21-2019-issue>

Work-for-hire contracts are a give-and-take between employers and employees in that the employee has short-term financial stability but, in turn, has to give up long-term rights.

Universities, for instance, are new to this idea. Take the idea of work-for-hire of intellectual properties and combine it in concert with adjunct labor pools: this recipe proves disastrous for the intellectual worker.

A longtime concern of university professionals has been the ownership of works created while under contract at a university: whether the labor is considered owned by the university or created while under the employment of the university as work-for-hire.⁵²⁶ Academics also have a stake in work-for-hire debates. Faculty have enjoyed what is called the “faculty exception” from copyright law: this operates under the assumption that faculty work adds to collective intellectual continuity, and as a result they are exempt from work-for-hire. However, there have been attempts to erode this exception. To discuss work-for hire and its effects on the university. I’ve chosen to compare American University and the University of Kansas.

Most universities, such as American University, have clear statements of copyright policy stating that the professors own all of their professional works:

“Scholarly, Professional and Creative Work” includes a pedagogical, scholarly, literary, or artistic work created by a faculty member (including fulltime, part-time, and adjunct faculty members) as part of traditional academic activity. Such Scholarly, Professional and Creative Works include, but are not limited to, books, journal articles, reviews, course syllabi, tests, course assignments, monographs, scholarly papers, musical compositions, works of art, computer programs, unpublished manuscripts, and recordings or transcriptions of lectures or performances.

In accordance with academic tradition, and unless specified by the Policy, the University does not claim ownership to Scholarly, Professional and Creative Works, and

⁵²⁶ American Association of University Professors.
<http://www.aaup.org/NR/rdonlyres/316FA6FB-EEFC-44E6-8481-469743FB3AE5/0/KansasAmicusBrief.pdf> Accessed: 5/14/13

copyright ownership of the Scholarly, Professional and Creative Work will vest with the faculty member who created the work.⁵²⁷

This policy on the part of American is quite specific and mentions several cases. For the most part, universities adhere to “tradition” and the “*Statement on Copyright*,” AAUP Policy Documents & Reports 182 (9th ed. 2001) with respect to copyright. Similarly, as drafted in 2001, the University of Kansas policy adheres to the American Association of University Professors statement on copyright.

2. Scholarly and Artistic Works

Notwithstanding any use of institutional resources or “*work made for hire*,” the ownership of textbooks, scholarly monographs, trade publications, maps, charts, articles in popular magazines and newspapers, novels, nonfiction works, supporting materials, artistic works, and like works shall reside with the creator(s) and any revenue derived from their work shall belong to the creator(s). Except for textbooks, the University shall have royalty-free use of the work within the University, unless otherwise agreed in writing.⁵²⁸

This policy states that as long as the work isn’t created as a “work-for-hire” case, the author retains copyright. The university policy also states that individuals may have differing contracts.

More importantly, however, the first section of that policy *does* state that the university retains limited ownership over things referred to as “mediated courseware” or extensive use of technology for classes: for example, the Blackboard software. The AAUP stated that since the distance education “craze” of the 1990s, the ownership of faculty scholarly research has been a pressing question. As a result, the Kansas Supreme Court heard a case about whether or not copyright ownership was a mandatory subject for purposes of bargaining. The AAUP’s commentary states: “The court, in a rather bizarre decision, concluded it was not, because, it

⁵²⁷ American University. <http://www.american.edu/policies/upload/Copyright-Ownership-Policy.pdf> Accessed: 5/14/13. Created: 4/07/09

⁵²⁸ University of Kansas. <https://documents.ku.edu/policies/provost/IntellectualPropertyPolicy.htm> Accessed: 5/14/13.

said, mandatory bargaining would conflict with federal law's provision that an author may to negotiate away [*sic*] his or her intellectual property rights but is not required to do so.”⁵²⁹

Evidently, they were suggesting that this would conflict with federal copyright statutes. “To reach this conclusion, the court assumed faculty intellectual property was work-for-hire, and thus the property of the University—a very questionable legal assumption.”⁵³⁰ In order to come up with a reply to matter at hand, the court had to place faculty work in a place it has been typically exempted from: work-for-hire. The AAUP states, “AAUP policy holds that for faculty work to be work-for-hire, it requires use of extra-ordinary resources; use of traditional resources ‘such as office space, supplies, library facilities, ordinary access to computer and networks, and money,’ are not sufficient to make faculty work into work-for-hire.”⁵³¹ It may not seem like a big deal when considering articles which faculty often get paid a small amount but this becomes a much bigger deal when considering cases of ownership including multimillion-dollar drug patents.

In summation, the work-for-hire doctrine does not and should not apply to faculty of a university because the work they do adds to the intellectual commonwealth. There have been efforts to erode the faculty exception, which have failed. However, the real danger of overturning these regulations still looms as technological frontiers continue to change the rules. The academic intervention allows for criticism. Members of faculty throw discourse about what work-for-hire and labor actually are as meaningful concepts. From the safe place of the ivory tower, these faculty can examine these issues. However, as tenure has already eroded away and more and more university faculty have become contract workers, work-for-hire, or contingent

⁵²⁹ American Association of University Professors.
<http://www.aaup.org/issues/copyright-distance-education-intellectual-property/resources-copyright-distance-education-and/intellectual-property-issues-faculty> Accessed: 5/14/13.

⁵³⁰ Ibid

⁵³¹ Ibid

faculty, this will have a chilling effect on any criticism of the system due to a fear of losing one's own job.

The university is only one place where work-for-hire and gig economies are looking to add value to their own bottom lines while not taking care of the workers they “hire.”

Conclusion – “What have you done for me lately?”

“Yes, but what have you done for me lately?” is a direct quotation from a comic book-themed podcast roundtable wherein comics creator Tyler James discusses his frustration as a comic book self-publisher. He details his difficulties in working with retailers to push his product through a constant flood of hundreds of items and new products weekly. His frustration as creator-owned comic publisher comes from not being noticed or ordered in high enough numbers and the failure of retailers to place his product advantageously against potentially higher-profile products.⁵³² He uses the phrase “What have you done for me lately?” to describe the importance of becoming a “known quantity” and known selling point to a retailer. In other words, if a retailer knows that he or she can sell a known quantity; for example, something with a film tie-in; why should that retailer take a chance on an unknown quantity? The creator acts as his or her own salesperson/hypeman/pitchman to the retailer. Another comic book creator, Ryan Browne, admits that the reason his products do well on Kickstarter is because he is a “proven commodity.”⁵³³

⁵³² DeWayne Feenstra, Tyler James, et.al. “A Conversation with Richard P. Clarke” *Final Issue Podcast*. Podcast Audio. Sep. 8, 2015. <http://www.multiversitycomics.com/podcasts/final-issue-24/> [ti: 38:02]

⁵³³ Siuntres, John. “Ryan Browne / Howard Chaykin...” (audio podcast)

Proof of the “What have you done for me lately?” mentality shows up in all facets of the comic book industry. How creators break into the industry. How creators constantly have to prove themselves to editors. How retailers constantly need reinforcement of product lines.

The “What have you done for me lately?” idea is just the tip of the iceberg in a much larger discussion about the capricious nature of the comic book industry. It is a sentiment that carries through an industry where a creator can describe his or her frustration about their interactions with editorial staff while trying to land the next freelance job. Furthermore, the editor has the power to hire and fire; often leads to an insular “who you know” atmosphere within the industry. On a related note, this also describes that insular nature of regular freelance work within the industry; an editorial or managerial change can cut a creator out of getting new work regardless of competency if the new editor or manager wants to bring in the freelancers that *they* know rather than continue to use the ones that the previous editor or manager was hiring. One creator told me this about his interaction with editors: “They know who they want for projects and rarely go outside of their circle.” This suggests that within “the industry,” social networks are important to the creators; who you know and who knows you is just as important as your work itself, not only at the publisher level as described by Tyler James above but also at the individual creator level. In addition to the internal industrial social networks, being popular or a “known quantity” external to the industry is important as well. “What have you done for me lately?” suggests that a creator’s popularity snowballs upon itself; becoming popular both within and without the industrial circles develops a “brand” for that creator.

Carrie Lane’s book *Company of One* describes the plight of the white collar freelance worker, portraying them as entrepreneurial agents engaged in the constant labor of defining,

improving, and marketing themselves.⁵³⁴ This idea of constantly selling oneself is entrenched into the comic book industry as well. In the introduction to his book *Toshiro*, Jai Nitz says, “One thing I’ve learned in comics is that you make your own luck. No editor is going to call you from out of the blue and suddenly recognize your genius.”⁵³⁵ To the creatives they are willing to be that “company of one.”

While speaking with my participants, it became clear that several interconnected social patterns entered into our discussions. There was a sense of “precariousness” that was unclearly defined but lingered under the surface. For the freelancer, what is *seen* is one thing; there is much more work that remains *unseen*. Hand-selling books, hustling for the next gig while working on the current one; these things sound oppressive, but for the comic creator “it’s part of the job.” What was especially important was the social capital that came with working in the industry. For many of these workers, there was a yearning toward satisfying an artistic impulse. For many, creating comics, writing Superman, drawing Spider-Man; these things were the fulfillment of a lifelong ambition. For others, writing a comic book was the junior league entry point toward bigger and better things. There are many reasons why someone chooses to work on comic books.

Andrew Ross points out that there is a “long standing” dogma about a necessary connection between creative life and suffering. Ross suggests that there is no connection; in fact, he posits that there is a psychic detriment and a health concern that comes with creatives accepting long hours in the hopes of gratifying work.⁵³⁶ Although many I spoke with lament the

⁵³⁴ Lane, Carrie M. *A Company of One*:

⁵³⁵ Jai Nitz (w), Janusz Pawlak (i). *Toshiro*. Milwaukie, OR: Dark Horse Comics. 2014.

np

⁵³⁶ Ross, Andrew. *Nice Work...* 47.

low pay, they maintain that they accept the low pay: that when coupled with the ability to do cool things, to go cool places, and especially to do cool things for other people, it results in a “psychic benefit.”

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I entered this project thinking that I was going to find a class of people who make comic books who were being taken advantage of by the Big, Bad Corporations: “The Precarious class.” I did indeed find such a class, but that same class of people was actually already aware that they were being taken advantage of by those corporations. They allowed this exploitation because it was dream they always had, there was always the idea that they were using the opportunity move on to bigger things; perhaps selling an idea to Hollywood (...or Vancouver...or Atlanta...), or moving on to writing for television, etc. More pertinently, what *actually* places these people in a precarious state is that they are a class of people who are regularly harassed by the fandom because of their accessibility. They are a class of people who are constantly “breaking in” and proving themselves. They are a class of people who are precarious because they do their own promotion, because they shill their wares on Kickstarter, because they promote to retailers on their own time. They work 60-to-80 hour weeks in tight regimens to ensure their books come out on time. This is a class of people who entertain, often to the detriment of their own health. This is a class of people who have the question “What have you done for me lately?” parroted at them from all sides: from the editor, from the retailer, from the anonymous fan. Those who seek comics out as their own means and ends find a way to make it work. They suffer through the struggles, the uncertainties, and the indignities because they genuinely love doing the work. Even in the face of impossible odds, uncertain futures, collapsing industries, and harassment from strangers and friends alike. In my interview with Phil Hester, he said it best:

A lot of times, people enter this field because there is a lot of romance. 100% of people are fans previous. There are stars in your eyes when you start. It's easy to lose sight of taking care of yourself. You have to let that wash over you; then after it does, know how to stand up for yourself. I personally should have done that more, earlier. But I'm definitely a romantic about the magic of comics.

He went on to tell a story about a company that went out of business while it still owed him four thousand dollars. He obviously considered this to be a bad thing, but it was okay: at least he was working in comics. This dissertation started with a discussion about the “magic” that Phil Hester mentioned above. The magic that he understands very well to be mostly illusion.

A recent article in the *New York Times* serves to give hope to the freelancer or the “1099 employee.” A delivery company was using tips sent through their app to pay the wage of employees rather than applying them as the supplement, that tips are often intended to be. There was a worker uproar and they fought back; the company relented and moved back to the standard, even paying those workers some back pay.⁵³⁷

Gail Simone, a writer, was attacked on social media and YouTube by artist Ethan Van Schiver. He alleged many things about the events surrounding the works they did together, in particular making claims about their interaction on a few projects for DC Comics. She wrote an open letter as a reply. Perhaps surprisingly (or unsurprisingly), the same group (#comicsgate) who had attacked other comics’ creators, including some creators previously mentioned in this project (Chelsea Cain and B. Clay Moore), were the ones who uploaded the attack. In the open letter, Gail went into detail about their former friendship and related how he was mistaken about many of the interactions that he had recounted during his attack of her. However, she closed her letter with an interesting salutation: “Good luck on your project, Ethan, and congratulations on

⁵³⁷ Kevin Roose. “After Uproar, Instacart Backs Off Controversial Tipping Policy” *New York Times*. (Feb. 6, 2019). <https://www.nytimes.com/2019/02/06/technology/instacart-doordash-tipping-deliveries.html>

your success. My best to your family... This stuff all sucks, but at least we are still doing what we both love, which is making comics.”⁵³⁸

To paraphrase: “It sucks... but it’s all just part of the job,”

...But maybe it doesn’t have to be.

⁵³⁸ Beat Staff “‘This Stuff All Sucks’: Gail Simone Responds to Ethan Van Sciver.” *Comicsbeat.com*. pub Sep 29, 2018. <http://www.comicsbeat.com/this-stuff-all-sucks-gail-simone-responds-to-ethan-van-sciver/>

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Appendix

The Comics Code of 1954

CODE OF THE COMICS MAGAZINE ASSOCIATION OF AMERICA, INC.

Adopted October 26, 1954

PREAMBLE

The comic-book medium, having come of age on the American cultural scene, must measure up to its responsibilities.

Constantly improving techniques and higher standards go hand in hand with these responsibilities.

To make a positive contribution to contemporary life, the industry must seek new areas for developing sound, wholesome entertainment. The people responsible for writing, drawing, printing, publishing, and selling comic books have done a commendable job in the past, and have been striving toward this goal.

Their record of progress and continuing improvement compares favorably with other media in the communications industry. An outstanding example is the development of comic books as a unique and effective tool for instruction and education. Comic books have also made their contribution in the field of letters and criticism of contemporary life.

In keeping with the American tradition, the members of this industry will and must continue to work together in the future.

In the same tradition, members of the industry must see to it that gains made in this medium are not lost and that violations of standards of good taste, which might tend toward corruption of the comic book as an instructive and wholesome form of entertainment, will be eliminated.

Therefore, the Comics Magazine Association of America, Inc. has adopted this code, and placed strong powers of enforcement in the hands of an independent code authority.

Further, members of the association have endorsed the purpose and spirit of this code as a vital instrument to the growth of the industry.

To this end, they have pledged themselves to conscientiously adhere to its principles and to abide by all decisions based on the code made by the administrator.

They are confident that this positive and forthright statement will provide an effective bulwark for the protection and enhancement of the American reading public, and that it will become a landmark in the history of self-regulation for the entire communications industry.

CODE FOR EDITORIAL MATTER

General standards—Part A

(1) Crimes shall never be presented in such a way as to create sympathy for the criminal, to promote distrust of the forces of law and justice, or to inspire others with a desire to imitate criminals.

(2) No comics shall explicitly present the unique details and methods of a crime.

(3) Policemen, judges, Government officials and respected institutions shall never be presented in such a way as to create disrespect for established authority.

(4) If crime is depicted it shall be as a sordid and unpleasant activity.

(5) Criminals shall not be presented so as to be rendered glamorous or to occupy a position which creates a desire for emulation.

(6) In every instance good shall triumph over evil and the criminal punished for his misdeeds.

(7) Scenes of excessive violence shall be prohibited. Scenes of brutal torture, excessive and unnecessary knife and gunplay, physical agony, gory and gruesome crime shall be eliminated.

(8) No unique or unusual methods of concealing weapons shall be shown.

(9) Instances of law-enforcement officers dying as a result of a criminal's activities should be discouraged.

(10) The crime of kidnapping shall never be portrayed in any detail, nor shall any profit accrue to the abductor or kidnaper. The criminal or the kidnaper must be punished in every case.

(11) The letters of the word "crime" on a comics-magazine cover shall never be appreciably greater in dimension than the other words contained in the title. The word "crime" shall never appear alone on a cover.

(12) Restraint in the use of the word "crime" in titles or subtitles shall be exercised.

General standards—Part B

(1) No comic magazine shall use the word horror or terror in its title.

(2) All scenes of horror, excessive bloodshed, gory or gruesome crimes, depravity, lust, sadism, masochism shall not be permitted.

(3) All lurid, unsavory, gruesome illustrations shall be eliminated.

(4) Inclusion of stories dealing with evil shall be used or shall be published only where the intent is to illustrate a moral issue and in no case shall evil be presented alluringly, nor so as to injure the sensibilities of the reader.

(5) Scenes dealing with, or instruments associated with walking dead, torture, vampires and vampirism, ghouls, cannibalism, and werewolfism are prohibited.

General standards—Part C

All elements or techniques not specifically mentioned herein, but which are contrary to the spirit and intent of the code, and are considered violations of good taste or decency, shall be prohibited. Dialogue

(1) Profanity, obscenity, smut, vulgarity, or words or symbols which have acquired undesirable meanings are forbidden.

(2) Special precautions to avoid references to physical afflictions or deformities shall be taken.

(3) Although slang and colloquialisms are acceptable, excessive use should be discouraged and, wherever possible, good grammar shall be employed.

Religion

(1) Ridicule or attack on any religious or racial group is never permissible.

Costume

(1) Nudity in any form is prohibited, as is indecent or undue exposure.

(2) Suggestive and salacious illustration or suggestive posture is unacceptable.

(3) All characters shall be depicted in dress reasonably acceptable to society.

(4) Females shall be drawn realistically without exaggeration of any physical qualities.

NOTE.—It should be recognized that all prohibitions dealing with costume, dialog, or artwork applies as specifically to the cover of a comic magazine as they do to the contents.

Marriage and sex

(1) Divorce shall not be treated humorously nor represented as desirable.

(2) Illicit sex relations are neither to be hinted at nor portrayed. Violent love scenes as well as sexual abnormalities are unacceptable.

(3) Respect for parents, the moral code, and for honorable behavior shall be fostered. A sympathetic understanding of the problems of love is not a license for morbid distortion.

(4) The treatment of live-romance stories shall emphasize the value of the home and the sanctity of marriage.

(5) Passion or romantic interest shall never be treated in such a way as to stimulate the lower and baser emotions.

(6) Seduction and rape shall never be shown or suggested.

(7) Sex perversion or any inference to same is strictly forbidden.

CODE FOR ADVERTISING MATTER

These regulations are applicable to all magazines published by members of the Comics Magazine Association of America, Inc. Good taste shall be the guiding principle in the acceptance of advertising.

(1) Liquor and tobacco advertising is not acceptable.

(2) Advertisement of sex or sex instruction books are unacceptable.

(3) The sale of picture postcards, "pinups," "art studies," or any other reproduction of nude or seminude figures is prohibited.

(4) Advertising for the sale of knives or realistic gun facsimiles is prohibited.

(5) Advertising for the sale of fireworks is prohibited.

(6) Advertising dealing with the sale of gambling equipment or printed matter dealing with gambling shall not be accepted.

(7) Nudity with meretricious purpose and salacious postures shall not be permitted in the advertising of any product; clothed figures shall never be presented in such a way as to be offensive or contrary to good taste or morals.

(8) To the best of his ability, each publisher shall ascertain that all statements made in advertisements conform to fact and avoid misrepresentation.

(9) Advertisement of medical, health, or toiletry products of questionable nature are to be rejected. Advertisements for medical, health, or toiletry products endorsed by the American Medical Association, or the American Dental Association, shall be deemed acceptable if they conform with all other conditions of the Advertising Code.